

EQUALITY
and
JUSTICE
for
ALL
MANKIND

mcad

1970

ANNUAL
REPORT



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MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION
BOSTON, MASS.



THE COMMONWEALTH OF MASSACHUSETTS EXECUTIVE DEPARTMENT

1970 Annual Report of the MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION



COMMISSION Members:

Glendora M. Putnam, Chairman
David Burres, Commissioner
Gordon A. Martin, Jr., Commissioner
Ben G. Shapiro, Commissioner

Lloyd F. Randolph, Chief of Field Operations
Walter H. Nolan, Executive Secretary

Copies of this Annual Report may be obtained at the Commission's offices, located at

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New Bedford, Mass.

120 Tremont Street
Boston, Mass.

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31 December 1970

The Honorable Francis Sargent, Governor
and
Honorable Members of the General Court,
The State of Massachusetts

Gentlemen:

In 1970, women took a look at their places in this society, and all branches of government — Federal, State and Local — took a look at their responsibilities to be equal opportunity employers. With the assistance of an EEOC grant for the specific purpose of eliminating discrimination on account of sex and the Governor's Code of Fair Practices, which expressed the Commonwealth's commitment to affirmative action, this Commission increased its capability to deal with both problems.

This Commission is, indeed, grateful to both the Governor and the General Court for recognizing the importance that the Commonwealth, itself, become the leading equal opportunity employer and disperser of services and that this Commission guarantee to private institutions that the Commonwealth demands no less of itself than it demands of them. In addition, we applaud the many local communities which saw their roles and proceeded to adopt with our assistance "home town" plans for affirmative action. Although this is not action, acceptance of the concept and the duty should not go unrecognized.

Eradication of systemic discrimination in all our institutions, both public and private, remains our goal and is still to be achieved. Class actions and class remedies still provide the most effective vehicle for dealing with these deeply imbedded practices caused by the way this society has conducted its business for so long. We continued this year to examine these practices in employment and extended such examination to the areas of housing and education. To assist us in planning our direction, we conducted four days of public hearings into the question of the effect of migration of industry to the sub-

urbs in the access to equal opportunities by the minorities left in the inner city. The conclusions from these hearings have become the basis for program planning for the Commission's future work.

It was both heartening and depressing to watch the citizen-initiated case-load jump 69% for the year 1970 from the previous year. It is heartening because it represents the confidence the public places in the capability of this Commission. At the same time, it is depressing because it is humanly impossible to provide immediate relief to all.

A dedicated and imaginative staff continues to work on developing more effective techniques, fashioning sweeping remedies, sharing in many human experiences, optimistic that it can make a difference in the life styles of many people. This caring, this heart, and this spirit is what this report is all about.

Very truly yours,
/s/ Glendora Putnam
Glendora Putnam,
Chairman

31 December 1970

To the Citizens,
State of Massachusetts

Dear Friends,

In recognition and fulfillment of our responsibility and commitment to all the people of the Commonwealth of Massachusetts, we, the entire staff of the Commission Against Discrimination, humbly submit this brief summary of the activity and accomplishments of our agency during the year 1970.

This summary reflects the results of a continuing and cooperative team-effort practiced by all of us here in the daily execution of our responsibility.

We are grateful to have you read this report. If we can further clarify for you the function and purpose of our Commission, we hope you will not hesitate to contact us.

Very truly yours,

/s/ E. Holden

E. Holden,
Public Information Officer

Enclosure

**FUNCTION OF THE M-C-A-D IS TO
ENFORCE THE COMMONWEALTH'S
ANTI-DISCRIMINATION LAWS.**

**TO *IDENTIFY* THE NEED
FOR THIS FUNCTION
IS EASY.**

**TO *JUSTIFY* THIS NEED
IS IMPOSSIBLE.**

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THE COMMONWEALTH OF MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION

1970 Annual Report

The sole purpose and function of the MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION is to protect the rights of the citizens of the Commonwealth by enforcing the State's anti-discriminatory legislation.

The ultimate goal of the Commission is to eliminate unlawful discriminatory practices from all corners of the State of Massachusetts; thereby, making the need for an anti-discriminatory law-enforcement agency such as the MCAD totally non-existent.

The MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION, established in the year 1946, is the only agency vested by the State of Massachusetts with legal powers to enforce the State's anti-discriminatory legislation in the following areas:

EMPLOYMENT	because of	RACE, COLOR, SEX, AGE, RELIGIOUS CREED, NATIONAL ORIGIN and ANCESTRY;
HOUSING	because of	RACE, COLOR, RELIGIOUS CREED, MILITARY STATUS, NATIONAL ORIGIN and ANCESTRY;
PUBLIC ACCOMMODATIONS	because of	RACE, COLOR, RELIGIOUS CREED, NATIONAL ORIGIN and ANCESTRY;
SCHOOL ENROLLMENT	because of	RACE, COLOR, RELIGIOUS CREED, NATIONAL ORIGIN and ANCESTRY.

It is the function and responsibility of the MCAD to establish, execute and maintain an effective and positive program for enforcement of the Commonwealth's laws which have been enacted for the sole purpose of ensuring all people of this State equal opportunities in employment, education, housing and public accommodations. Toward fulfillment of this responsibility and execution of this function, the following MCAD internal organization has been established:

four commissioners —

Mrs. Glendora Putnam, Chairman

Mr. David Burres

Mr. Gordon A. Martin, Jr.

Mr. Ben G. Shapiro

and a supporting staff of ten divisions —

Administration

Field Operations

Affirmative Action

Legal

Community Relations

Public Information

Compliance

Research

Education

Sex and Age

(The MCAD also has a Federal Grant (EEOC) program.)

There are four MCAD offices operating within the State. The main office is located in Boston; branch offices are located in New Bedford, Springfield and Worcester. The total MCAD staff numbers less than 75 persons. This comparatively small workforce has the giant-size responsibility, however, to ensure protection of the Commonwealth's nearly 6,000,000 citizens against unlawful acts of discrimination because of race, color, sex, age, religious creed, military status, national origin and ancestry.

In order to spread the message of its function to every corner of the Commonwealth, the MCAD during the year 1970 launched a State-wide publicity campaign and planned an extensive long-range program to inform the citizens throughout the State of the Commission's function, purpose and obligation to them. Special effort was made to encourage all citizens — with special emphasis directed toward minority-group persons

— to contact the MCAD when they believe that they (or others) have been unlawfully discriminated against.

The MCAD's 1970 publicity program was structured to provide constant public exposure, direct citizen contact, and to create and maintain a desirable public image for the agency. This program included:

1) *Establishment and maintenance of a solid rapport with the media — State-wide (radio, television and press).*

Every radio station, television channel and newspaper operating within the Commonwealth was contacted and requested to support the work of the Commission by giving constant exposure through their resources. This contact resulted in constant MCAD representation on television and radio community-interest programs, constant MCAD press coverage, and constant use of MCAD messages as public service announcements by radio, television and newspapers. Press conferences were held for purpose of apprising media representatives of major accomplishments, problems, and general activity of the Commission. Press releases were distributed to the media on a regular basis.

The MCAD is most grateful for the much-needed support the media (radio, television and the press) throughout the Commonwealth have extended this Commission during this fiscal year, and we have extended a special word of thanks to the following radio and television stations which have been most consistent in their efforts to support the programs of the MCAD by way of constant exposure on their various community-interest programs, editorial comment, one-minute public service announcements, etc.:

Television:

WBZ - Ch 4 (Boston and wide coverage area)

WTEV - Ch 6 (New Bedford and wide coverage area)

WNAC - Ch 7 (Boston and wide coverage area)

WSMW - Ch 27 (Worcester and wide coverage area)

WSBK - Ch 38 (Boston and wide coverage area)

WKBG - Ch 56 (Boston and wide coverage area)

Radio:

WBZ (Boston and wide coverage area)
WEEI (Boston and wide coverage area)
WEZE (Boston and wide coverage area)
WILD (Boston and wide coverage area)
WCCM (Lawrence and wide coverage area)
WRKO (Boston and wide coverage area)
WROR (Boston and wide coverage area)
WTAG (Worcester and wide coverage area)
WTTT (Amherst and wide coverage area)

It is most encouraging to realize that during one two-and-a-half month period at the beginning of the 1970 fiscal year, the MCAD was represented (by staff members) on 28 TV and radio community-interest programs of either half-an-hour or an hour duration, as well as constant daily public-service announcements over both radio and television, and "filler" messages in innumerable newspapers throughout the State.

The Commission is, indeed, grateful to many persons for support of our State-wide publicity program initiated and effected during the 1970 fiscal year. A special word of gratitude is extended to Governor Sargent who affirmatively responded to our request that he give a 60-second public service message in behalf of the MCAD, and a special word of gratitude is extended to WSBK-TV (Channel 38) for having hosted this taping session with the Governor and the MCAD representative. The Governor's message was reproduced by Channel 38 for MCAD distribution to six other television networks throughout the State; thus, providing State-wide coverage by a total of seven (7) television channels.

A special word of gratitude is extended to Mr. Alfred C. Holland, State Purchasing Agent; to Mr. Joseph Sherriff, Head of the State Printing Office; and to Mr. Andy Sweeney, State artist on Mr. Sherriff's staff, for their consistent support, professional counsel and guidance to the MCAD's public information programs during the past year. It was this support and counsel from the Messrs. Holland, Sherriff and Sweeney

which made possible the MCAD's execution of a great number of successful State-wide publicity programs (requiring special art-work and printing expertise) at an incredibly low cost to the State.

In addition to MCAD representation with television, radio and the press, the Commission kept staff members before the public by way of speaking engagements, workshop and seminar participation, display booths, etc. During the year 1970, the MCAD has provided speakers for various types of gatherings sponsored by private clubs, civic organizations, private businesses, public and private schools, universities, government agencies, etc.

The MCAD's speakers' platform is an extremely busy team-effort supported by the entire staff.

2) *Public display of color posters and placards.*

Four-color picture cards and posters were designed and displayed throughout the State in public places; i.e., subway trains and stations, buses, libraries, offices of civic organizations, places of public accommodation, private business offices, construction sites, etc. These posters depicted the message of "equality" and "justice" for all people, and were printed in three languages; i.e., English, Spanish and Chinese. Purpose of the posters was to provide citizens of the Commonwealth — in all areas — with knowledge of the function and responsibility of the MCAD as well as whereabouts of the MCAD offices.

3) *Use of visual aids.*

A picture story was written to depict the purpose and function of the Commission. This story was made into living color slides and utilized in a projector which is on constant display in the lobbies of business enterprises, civic organizations, etc., located in areas of heavy pedestrian traffic throughout the State.

All creative work (i.e., color poster design and script, projector living-color picture story, TV/radio/newspaper messages, etc.) as well as establishment, execution and maintenance of specific programs designed to keep the MCAD be-

fore the public and to keep the public informed as to MCAD activity was done by the Commission's own staff, with special recognition of the much-needed support of Messrs. Holland and Sherriff and the artistic efforts and counsel of Mr. Andy Sweeney, State artist — and without the expense of outside public relations and/or consultation services.

The State-wide publicity campaign and newly-established rapport with the media resulted in a tremendous increase in communication between the MCAD and individual citizens of the Commonwealth. This increase in communication resulted in a tremendous increase in workload, which directly affected each division of the organization; however, the Field Operations Division, which is the heart of the Commission and handles investigation and processing of all complaints that are brought before the agency, is the MCAD department which was most drastically affected by this increase in workload.

FIELD OPERATIONS DIVISION

Lloyd F. Randolph, Chief
Carroll Brownlee, Assistant Chief

As the major investigative arm of the Commission, Field Operations investigates all alleged violations of the State's anti-discrimination laws brought to the attention of the agency. These may be individually-filed, class-action, or agency-initiated complaints in employment based upon race, color, religious creed, sex, age, national origin and ancestry; in housing based upon race, color, religious creed, national origin, ancestry, and military status (members of the Armed Forces and veterans); in public accommodations and education based upon race, color, religious creed, national origin and ancestry.

The Field Operations Division operates with the following staff: a director, an assistant director and twenty-one field representatives. Of the 21 field representatives, 17 are assigned to the Boston office; 2 are assigned to the Springfield office; 1 is assigned to the New Bedford office; 1 is assigned to the Worcester office.

It is the responsibility of a field representative (when assigned to a case) to investigate the allegations of the complaint and then compile a written report of the facts and findings of the investigation. It is this written report which provides the investigating commissioner with facts from which a determination must be made as to whether or not there exists grounds to sustain the allegations which have been filed.

The field representative's activities involve interviewing many individuals, including the complainant, respondent and witnesses. In cases involving unfair employment practices, the representative reviews all pertinent data such as attendance, production and payroll records, personnel files, written policy of the employer and unions, police records, agreements, etc. All preliminary investigations are reviewed by the Chief of Field Operations in order that he may ascertain whether or not sufficient information exists to enable the investigating

commissioner to make a finding of a) probable cause or b) lack of probable cause or c) lack of jurisdiction. After this determination has been made, the case is then submitted to the commissioner for his/her evaluation.

The MCAD attempts to provide every possible accommodation to the public when there is a complaint to be filed. In order to receive those complaints from persons whose schedules do not permit their coming to either one of the MCAD offices for an in-person conference, a field representative is assigned every day to handle all complaints that are telephoned in to the Commission.

The MCAD's four offices received several thousand telephone calls and in-person inquiries during 1970. Those persons who sought remedies in matters over which the Commission has no jurisdiction were referred to the proper Municipal, State or Federal agency. 1,005 of these calls and/or personal visits developed into investigations in those areas where the Commission does have jurisdiction. Of the 1,005 investigations conducted, 189 were private housing complaints; 17 were public housing complaints; 361 were employment complaints based on race, color, religious creed, national origin and ancestry; 226 were employment complaints based on sex; 46 were employment complaints based on age; 70 were complaints alleging discrimination in places of public accommodation; 9 were complaints alleging harassment and/or discrimination because a person had either filed a complaint with the Commission, cooperated as witness in a complainant's action, or opposed discriminatory practices prohibited by the Commonwealth.

In order to preserve the status quo of a job or piece of real estate or rental property pending investigation and/or conciliation of a complaint, the Commission has the authority to petition the courts for an order to restrain the respondent from filling the job and/or from renting or selling the property in question. In 51 of the 189 private housing complaints filed during 1970, Field Operations prepared petitions for the courts and received as many temporary restraining orders to prevent the rental, lease, or sale of the premises in question to

any person other than the complainant until the investigating commissioner had held an informal conference with all parties and conciliated the matter.

In addition, Field Operations was able to obtain, in lieu of temporary restraining orders, five notarized agreements from respondent property owners not to rent, lease or sell the premises in question until the matter had been conciliated.

Investigating commissioners also petitioned for, and received, two temporary restraining orders preventing the employer from giving the job in question to person(s) other than the complainant(s) until the investigating commissioner had held a conference and conciliated the matter. A similar order was petitioned for, and obtained, for a place of public accommodation.

During 1970, the MCAD delivered to the deputy sheriff's office in various parts of the State 54 temporary restraining orders, numerous subpoenas and an additional sixty notices of public hearings to be held.

In 1970, the Commission continued its attack on systemic discrimination which had started in 1969 through a Federal grant program funded by the Equal Employment Opportunity Commission. Such investigations probe all terms and conditions of employment; i.e., employers' methods of advertising for employees, recruitment and hiring practices, promotion and seniority policies and the full range of fringe benefits accorded the employees.

The investigation seeks to ascertain whether the employer utilizes culturally-biased tests, employment practices and criteria for evaluation which may discriminate against persons of various minority groups. This type of investigation is presently handled in two ways. First, through a "class-action" complaint, in which an individual files a complaint on his own behalf and on behalf of all other persons of his particular class (i.e., race, religion, sex, age, etc.), who are similarly affected. Such a complaint (usually against a small employer or only one of a large employer's several installations within the Commonwealth) is investigated by a single field representa-

tive. 121 such class-action complaints were investigated by the MCAD during 1970.

Several class-action complaints alleged a company policy of systemic discrimination against females who married male employees. Some companies have insisted that when two employees marry, the one with less seniority must resign. The Commission found probable cause to sustain allegations of discrimination based on sex because of the inherent nature of permitting a male employee to move upwards through the organization while restricting females to administrative positions far below those open to males. Therefore, regardless of the seniority a female had in relation to that of her intended husband, she invariably resigned her job in order that he might have the opportunity to progress within the organizational structure of the company.

Another type of investigation is initiated when the Commission has reason to believe an employer is utilizing a system of employment which is discriminatory. In such case, a task-force of the Commission conducts an investigation of the employer's entire employment system. Where discriminatory systems are found to be operating, the Commission works with the respondent to initiate an affirmative action program designed to hire or admit more minority persons and to eliminate culturally-biased or discriminatory procedures.

While the man-hours involved in task-force investigations and class-action complaints are considerably greater than the number involved in conventional investigations, the nature of the complaint allows for much broader remedial action when discrimination is found.

In late 1970, the Field Operations Division in joint cooperation with the EEOC Federal Grant program developed a proposal to more completely integrate the functions of the two divisions. This proposal was accepted by the Equal Employment Opportunity Commission (Washington, D. C.) as the basis for re-funding of the MCAD's Federal Grant program through the year 1971. The EEOC (Washington) used this proposal as a model to guide other grant programs throughout the United States in similar operation.

The MCAD also provides assistance, information and materials to Federal, State and Municipal agencies in all matters concerning discrimination. In 1970, this included investigating an increasing number of complaints deferred to the Commission by the Equal Employment Opportunity Commission and the United States Department of Housing and Urban Development, as required by Title VII of the 1964 Civil Rights Act and the 1968 Federal Fair Housing Act. In a similar spirit of cooperation, this Commission deferred to the EEOC complaints alleging discrimination based on sex in employment, where State statutes protecting the rights of women on the job have placed such complaints beyond the jurisdiction of this Commission.

The Chief of Field Operations and his assistant frequently meet with representatives of the various Federal agencies for the purpose of acquainting them with the function of the Commission and the Commonwealth's laws in the area of civil rights. While the areas of Federal and State jurisdiction vary somewhat, a sharing of investigative and research techniques proves beneficial to both agencies.

The Chief of Field Operations and his assistant conducted a number of educational classes with relocation employees at the Boston Redevelopment Authority's main office and some of its facilities throughout the City of Boston, with several labor unions and a number of human rights committees and fair housing groups for purpose of defining State and Federal anti-discrimination laws, procedure followed in taking complaints, and clarification of the investigative and procedural functions of the Commission.

The Field Operations Division also conducted a survey of Federal and State public housing authorities within the Commonwealth to ascertain the proportions of tenants who were members of minority groups. The results of this survey are made a part of this report.

1970
HOUSING STATISTICS
BY AREA

	No. Units	No. Black families	Spanish Speaking families
ARLINGTON			
<i>Housing Authority</i>			
State Program:			
For the Elderly	304	0	0
For All Other	176	0	0
BARNSTABLE			
<i>Housing Authority</i>			
State Program:			
For the Elderly	64	3	0
For All Other	0	0	0
BOSTON			
<i>Housing Authority</i>			
State Program:			
For the Elderly	160	18	0
For All Other	3,652	643	73
Federal Program:			
For the Elderly	1,044	286	3
For All Other	9,958	3,860	429
BROCKTON			
<i>Housing Authority</i>			
State Program:			
For the Elderly	230	2	0
For All Other	174	21	0
Federal Program:			
For the Elderly	200	3	0
For All Other	224	118	0

1970
HOUSING STATISTICS
BY AREA (Continued)

	No. Units	No. Black families	Spanish Speaking families
BROOKLINE			
<i>Housing Authority</i>			
State Program:			
For the Elderly	60	0	0
For All Other	291	2	1
State Leased:			
For the Elderly	0	0	0
For All Other	24	1	0
Federal Program:			
For the Elderly	200	1	0
For All Other	100	1	0
Federal Leased:			
For the Elderly	100	1	0
For All Other	0	0	0
CAMBRIDGE			
<i>Housing Authority</i>			
State Program:			
For the Elderly	0	0	0
For All Other	712	94	6
Federal Program:			
For the Elderly	155	6	0
For All Other	893	200	10
CHELSEA			
<i>Housing Authority</i>			
State Program:			
For the Elderly	56	0	0
For All Other	294	0	0
Federal Program:			
For the Elderly	0	0	0
For All Other	200	5	1

1970
HOUSING STATISTICS
BY AREA (Continued)

	No. Units	No. Black families	Spanish Speaking families
CHICOPEE			
<i>Housing Authority</i>			
State Program:			
For the Elderly	382	0	0
For All Other	226	1	0
Federal Program:			
For the Elderly	121	0	0
For All Other	186	6	2
CLINTON			
<i>Housing Authority</i>			
State Program:			
For the Elderly	80	0	0
For All Other	34	1	0
Federal Program:			
For the Elderly	0	0	0
For All Other	100	6	4
EVERETT			
<i>Housing Authority</i>			
State Program:			
For the Elderly	280	0	0
For All Other	392	0	0
FALL RIVER			
<i>Housing Authority</i>			
State Program:			
For the Elderly	301	0	0
For All Other	427	7	0
Federal Program:			
For the Elderly	240	0	0
For All Other	1,879	44	0

1970
HOUSING STATISTICS
BY AREA (Continued)

	No. Units	No. Black families	Spanish Speaking families
FALMOUTH			
<i>Housing Authority</i>			
State Program:			
For the Elderly	54	2	0
FITCHBURG			
<i>Housing Authority</i>			
State Program:			
For the Elderly	104	0	0
For All Other	264	2	1
Federal Program:			
For the Elderly	100	0	0
FRAMINGHAM			
<i>Housing Authority</i>			
State Program:			
For the Elderly	345	3	0
For All Other	185	2	0
Federal Program:			
For the Elderly	0	0	0
For All Other	125	4	0
HOLYOKE			
<i>Housing Authority</i>			
State Program:			
For the Elderly	82	0	0
For All Other	219	15	5
Federal Program:			
For the Elderly	150	0	0
For All Other	818	106	66

1970
HOUSING STATISTICS
BY AREA (Continued)

	No. Units	No. Black families	Spanish Speaking families
LAWRENCE			
<i>Housing Authority</i>			
State Program:			
For the Elderly	0	0	0
For All Other	451	18	60
Federal Program:			
For the Elderly	409	0	0
For All Other	600	19	27
LOWELL			
<i>Housing Authority</i>			
State Program:			
For the Elderly	63	0	0
For All Other	292	0	0
Federal Program:			
For the Elderly	140	0	0
For All Other	734	0	0
LYNN			
<i>Housing Authority</i>			
State Program:			
For the Elderly	212	2	0
For All Other	524	85	10
Federal Program:			
For the Elderly	176	2	0
For All Other	292	52	6
MALDEN			
<i>Housing Authority</i>			
State Program:			
For the Elderly	165	5	0
For All Other	220	8	0
Federal Program:			
For the Elderly	100	4	0
For All Other	250	22	3

1970
HOUSING STATISTICS
BY AREA (Continued)

	No. Units	No. Black families	Spanish Speaking families
MEDFORD			
<i>Housing Authority</i>			
State Program:			
For the Elderly	144	0	0
For All Other	150	5	0
Federal Program:			
For the Elderly	300	3	0
For All Other	150	3	0
NEW BEDFORD			
<i>Housing Authority</i>			
State Program:			
For the Elderly	75	1	0
For All Other	330	18	0
Federal Program:			
For the Elderly	50	0	0
For All Other	1,408	68	41
PITTSFIELD			
<i>Housing Authority</i>			
State Program:			
For the Elderly	208	2	0
For All Other	126	3	0
Federal Program:			
For the Elderly	0	0	0
For All Other	121	33	0
PLYMOUTH			
<i>Housing Authority</i>			
State Program:			
For the Elderly	110	0	0
For All Other	154	5	1

1970
HOUSING STATISTICS
BY AREA (Continued)

	No. Units	No. Black families	Spanish Speaking families
REVERE			
<i>Housing Authority</i>			
State Program:			
For the Elderly	245	0	1
For All Other	389	0	2
Federal Program:			
For the Elderly	60	0	0
For All Other	150	0	2
SCITUATE			
<i>Housing Authority</i>			
State Program:			
For the Elderly	80	1	0
SOMERVILLE			
<i>Housing Authority</i>			
State Program:			
For the Elderly	164	0	0
For All Other	456	0	4
Federal Program:			
For the Elderly	142	1	0
For All Other	216	4	3
SPRINGFIELD			
<i>Housing Authority</i>			
State Program:			
For the Elderly	253	3	105
For All Other	532	243	5
Federal Program:			
For the Elderly	232	14	2
For All Other	548	267	184

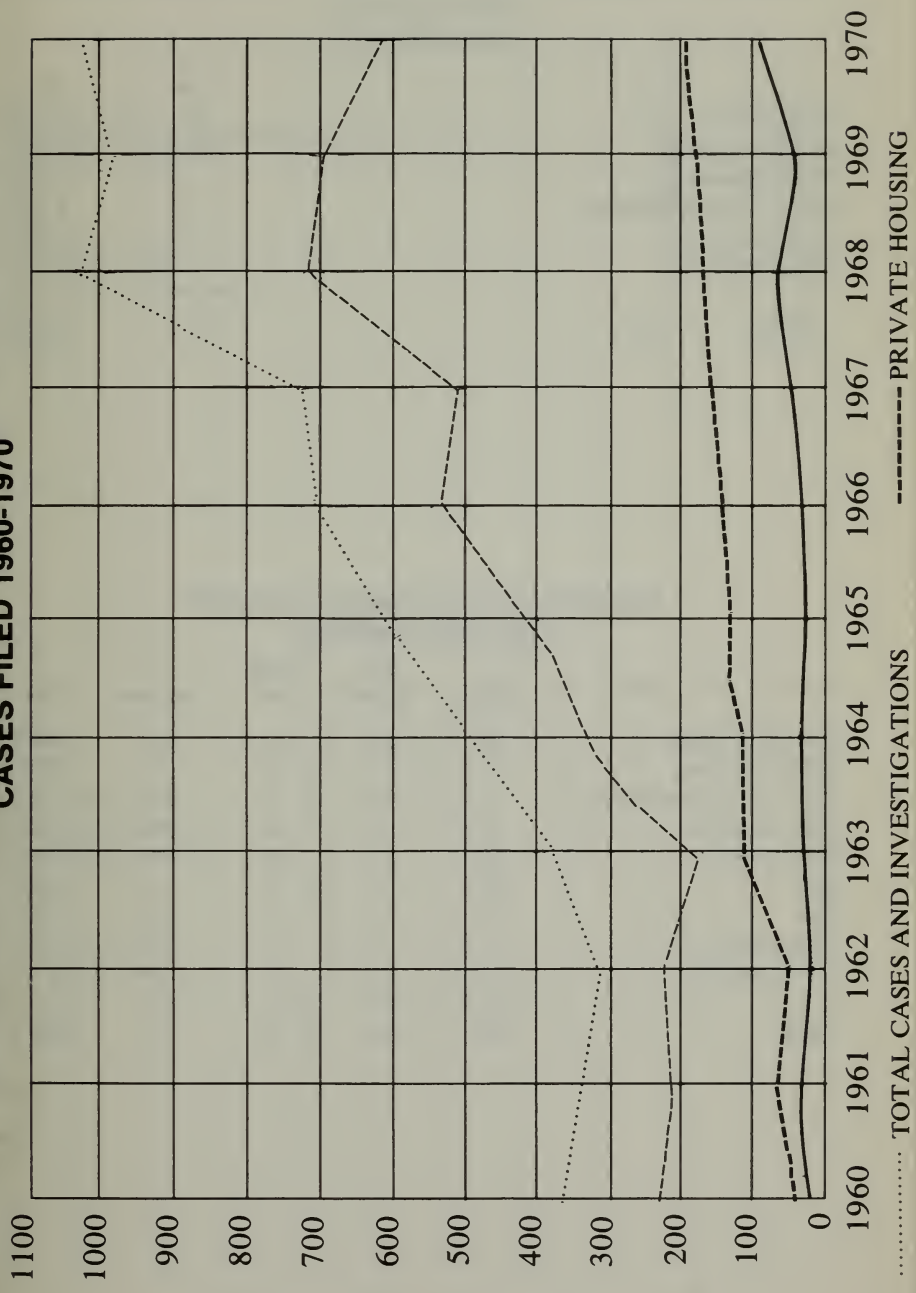
1970
HOUSING STATISTICS
BY AREA (Continued)

	No. Units	No. Black families	Spanish Speaking families
TAUNTON			
<i>Housing Authority</i>			
State Program:			
For the Elderly	0	0	0
For All Other	142	19	6
Federal Program:			
For the Elderly	154	4	0
For All Other	105	26	11
WALTHAM			
<i>Housing Authority</i>			
State Program:			
For the Elderly	140	0	0
For All Other	278	1	2
Federal Program:			
For the Elderly	109	0	0
For All Other	0	0	0
WATERTOWN			
<i>Housing Authority</i>			
State Program:			
For the Elderly	204	0	0
For All Other	228	0	0
WEYMOUTH			
<i>Housing Authority</i>			
State Program:			
For the Elderly	156	1	0
For All Other	208	0	0
WINTHROP			
<i>Housing Authority</i>			
State Program:			
For the Elderly	206	0	0
For All Other	73	0	0

1970
HOUSING STATISTICS
BY AREA (Continued)

	No. Units	No. Black families	Spanish Speaking families
WOBURN			
<i>Housing Authority</i>			
State Program:			
For the Elderly	94	2	0
For All Other	176	4	0
Federal Program:			
For the Elderly	0	0	0
For All Other	100	3	1
WORCESTER			
<i>Housing Authority</i>			
State Program:			
For the Elderly	75	0	0
For All Other	594	15	8
Federal Program:			
For the Elderly	997	12	0
For All Other	746	81	22

MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION
CASES FILED 1960-1970



MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION

Cases Filed 1970

	No.	Pct.
Employment	661	65.8%
Private Housing	209	20.7%
Public Housing	19	1.9%
Public Accommodations	87	8.7%
Fair Education	20	1.9%
Paragraph No. 4	9	.9%
	<hr/>	<hr/>
Total	1005	99.9%

Complaints and Investigations Filed 1970 (Jurisdiction and Office)

	Boston	New Bedford	Spring- field	Worcester	Total
Private Housing	149	12	18	10	189
Public Housing	16	1	0	0	17
Public Accommodations	42	10	16	2	70
Fair Education	2	1	0	0	3
Employment	286	21	45	9	361
Sex	207	4	11	4	226
Age	37	3	4	2	46
Paragraph No. 4	9	0	0	0	9
Investigations	75	4	5	0	84
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Total	823	56	99	27	1005

MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION

Cases Filed 1970

	No.	Pct.
Race & Color	590	58.5%
National Origin & National Ancestry	94	9.4%
Religious Creed	34	3.4%
Sex	229	22.8%
Age	47	4.7%
Armed Services	2	.2%
Harassment (Par. No. 4)	9	.9%
Total	1005	99.9%

Complaints and Investigations Filed 1970 (Jurisdiction and Basis)

	Emp.	PrH	PH	PA	Educ.	Par no. 4	Total
Race	30	12	1	5	4	0	52
Color	278	161	15	72	12	0	538
Religious Creed	24	7	0	2	1	0	34
National Origin	47	23	3	7	3	0	83
National Ancestry	6	4	0	1	0	0	11
Sex	229	0	0	0	0	0	229
Age	47	0	0	0	0	0	47
Armed Services	0	2	0	0	0	0	2
Paragraph No. 4	0	0	0	0	0	9	9
Total	661	209	19	87	20	9	1005

MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION

Cases Filed 1970 (Basis and Type)

	Commission Initiated Complaints	Individually Filed Complaints	Investiga- tions	Total
Race	0	42	10	52
Color	10	463	65	538
Rel. Creed	0	32	2	34
Nat'l Origin	1	79	3	83
National Anc.	0	11	0	11
Sex	2	224	3	229
Age	0	46	1	47
Armed Services	0	2	0	2
Par. No. 4	4	5	0	9
	<hr/>	<hr/>	<hr/>	<hr/>
Total	17	904	84	1005

Cases Filed 1970 (Jurisdiction and Type)

	Commission Initiated Complaints	Individually Filed Complaints	Investiga- tions	Total
PrH	3	186	20	209
PH	0	17	2	19
PA	0	70	17	87
Educ.	2	1	17	20
Emp.	6	355	24	385
Sex	2	224	3	229
Age	0	46	1	47
Par. No. 4	4	5	0	9
	<hr/>	<hr/>	<hr/>	<hr/>
Total	17	904	84	1005

**MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION
BOSTON OFFICE**

**COMPLAINTS & INVESTIGATIONS FILED 1970
(Jurisdiction & Basis)**

	Emp.	PrH	PH	PA	Educ.	Par. no. 4	Total
Race	20	10	1	2	3	0	36
Color	231	128	14	49	9	0	431
Rel. Creed	22	5	0	2	1	0	30
Nat'l Origin	28	20	3	2	3	0	56
Nat'l Ancestry	6	4	0	1	0	0	11
Sex	210	0	0	0	0	0	210
Age	38	0	0	0	0	0	38
Armed Services	0	2	0	0	0	0	2
Par. No. 4	0	0	0	0	0	9	9
Total	555	169	18	56	16	9	823

**BOSTON OFFICE
COMPLAINTS FILED 1970
(Jurisdiction and Basis)**

	Emp.	PrH	PH	PA	Educ.	Par. no. 4	Total
Race	16	8	1	1	0	0	26
Color	214	111	12	37	1	0	375
Rel. Creed	22	5	0	1	0	0	28
Nat'l Origin	28	19	3	2	1	0	53
Nat'l Ancestry	6	4	0	1	0	0	11
Sex	207	0	0	0	0	0	207
Age	37	0	0	0	0	0	37
Armed Services	0	2	0	0	0	0	2
Par No. 4	0	0	0	0	0	9	9
Total	530	149	16	42	2	9	748

BOSTON INVESTIGATIONS

OPENED 1970 (Jurisdiction and Basis)

	Emp.	PrH	PH	PA	Educ.	Total
Race	4	2	0	1	3	10
Color	17	17	2	12	8	56
Rel. Creed	0	0	0	1	1	2
Nat'l Origin	0	1	0	0	2	3
Sex	3	0	0	0	0	3
Age	1	0	0	0	0	1
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Total	25	20	2	14	14	75

NEW BEDFORD OFFICE

COMPLAINTS AND INVESTIGATIONS FILED 1970 (Jurisdiction and Basis)

	Emp.	PrH	PH	PA	Educ.	Total
Race	8	1	0	3	1	13
Color	10	11	1	7	0	29
Rel. Creed	1	0	0	0	0	1
Nat'l Origin	4	0	0	2	0	6
Nat'l Ancestry	0	0	0	0	0	0
Sex	4	0	0	0	0	4
Age	3	0	0	0	0	3
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Total	30	12	1	12	1	56

NEW BEDFORD INVESTIGATIONS

Filed 1970

	Emp.	PA	Total
Color	1	2	3
Race/Color/National Origin	1	0	1
	<hr/>	<hr/>	<hr/>
Total	2	2	4

SPRINGFIELD OFFICE

COMPLAINTS AND INVESTIGATIONS FILED 1970 (Jurisdiction and Basis)

	Emp.	PrH	PH	PA	Educ.	Total
Race	2	1	0	0	0	3
Color	20	14	0	14	3	51
Rel. Creed	1	1	0	0	0	2
Nat'l Origin	14	2	0	3	0	19
Nat'l Ancestry	0	0	0	0	0	0
Sex	11	0	0	0	0	11
Age	4	0	0	0	0	4
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Total	52	18	0	17	3	90

SPRINGFIELD INVESTIGATIONS

Filed 1970

	Emp.	PA	Educ.	Total
Color	0	1	3	4
Color/Nat'l Origin	1	0	0	1
	<hr/>	<hr/>	<hr/>	<hr/>
Total	1	1	3	5

WORCESTER OFFICE

COMPLAINTS AND INVESTIGATIONS FILED 1970 (Jurisdiction and Basis)

	Emp.	PrH	PH	PA	Educ.	Total
Race	0	0	0	0	0	0
Color	8	8	0	2	0	18
Rel. Creed	0	1	0	0	0	1
Nat'l Origin	1	1	0	0	0	2
Nat'l Ancestry	0	0	0	0	0	0
Sex	4	0	0	0	0	4
Age	2	0	0	0	0	2
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Total	15	10	0	2	0	27

THE COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION

On Relation Of

JAMES O. LANEY

348 Conant Street

Bridgewater, Plymouth County

COMPLAINANT

AGAINST

STEVEN PERCOCO and ANN PERCOCO

123 Thorndike Street

Cambridge, Middlesex County

and

ROBERT V. WALLACE

d/b/a WALLACE REALTY

24 Adams Street

Quincy, Norfolk County

RESPONDENTS

FINDINGS OF FACT

CONCLUSIONS OF LAW

AND ORDER

COMPLAINT NO.

PrH XI-33-C

Upon all the evidence at the hearing herein the Massachusetts Commission Against Discrimination by Hearing Commissioners David Burres and Ben G. Shapiro, finds that the respondent Robert V. Wallace, d/b/a Wallace Realty, 24 Adams Street, Quincy, Massachusetts has engaged in an unlawful practice as defined in Chapter 151B, Section 4, Subsection 6 of the General Laws of Massachusetts and states its findings as follows:

FINDINGS OF FACT

1. The complainant, James O. Laney, of 348 Conant Street, Bridgewater, Plymouth County is non-White.
2. Respondents, Steven Percoco and Ann Percoco, are owners of record of an apartment building located at 138 Willard Street, Quincy, Massachusetts.

3. In April, 1969, the complainant saw a sign on Hoge Street, Quincy, Massachusetts, advertising apartments for rent. The complainant later called the number of the realty agency on that sign. The name of the agency was the Wallace Realty Agency. Via the telephone, the complainant was advised by a man who had identified himself as "Bob Wallace" that there were no apartments presently available at the Hoge Street address, but that there was a two-bedroom apartment available for rent at 138 Willard Street in Quincy, Massachusetts.

4. The complainant explained to the person identified as "Bob Wallace," that he had been authorized to rent an apartment on behalf of one Major Johnnie Forte of the U.S. Army for the use of Major Forte's wife and child. In that conversation and in an ensuing telephone conversation with the party who had identified himself as "Bob Wallace" the complainant further discussed Major Forte's needs in an apartment, the amount of rent he desired to pay, the date of availability of the apartment and the fact that the Major had a six year old child. After agreement had been reached by the complainant and the party identified as "Bob Wallace" as to the amount of rent, occupancy date and the fact that Major Forte's child would also be occupying the premises in question, an arrangement was made to have the complainant shown the apartment on April 26, 1969. At the time this arrangement was made the race or color of the complainant was unknown to any of the respondents.

5. The complainant appeared at the pre-arranged meeting place at or about the specified time. An automobile fitting the description of the one to be used at the time of this meeting by the party who had identified himself as "Bob Wallace" appeared shortly thereafter: the said automobile stopped and its occupant looked across at the complainant who was then and there seated in his automobile. After approximately 20-30 seconds, the said automobile then was driven off and the complainant continued to wait in his parked automobile.

6. Approximately twenty minutes later the same vehicle operated by the same person reappeared. Its occupant then

hailed the complainant and subsequently introduced himself to the complainant as "Mr. Wallace". He then proceeded to advise the complainant that the apartment in question at 138 Willard Street in Quincy had just been rented to another party, further stating that it was the right of the owners to rent to whomsoever they pleased. The complainant requested to see the apartment in question but was advised that this could not be done since the apartment had already been rented. A short conversation regarding civil rights and local discrimination ensued.

7. The party who had met the complainant on April 26, 1969 and had identified himself as "Mr. Wallace," was in fact one Robert Wilson who at the time was in the employ of the respondent, Wallace Realty, and authorized to act on its behalf in the renting of apartments listed with the agency.

8. On Monday, April 28, 1969, Mrs. Mary Ruth Hall, an acquaintance of the complainant made an appointment with the respondent Wallace Realty to see the apartment in question which was located at 138 Willard Street, Quincy, Massachusetts. On that date she was shown the apartment. A person identifying himself as "Mr. Wallace" advised Mrs. Hall that the apartment was available to her for rental. Mrs. Hall indicated that she had a five year old daughter. That notwithstanding, an appointment was made to show the apartment the following day to Mrs. Hall's Husband.

9. Mrs. Hall is White and did not in fact want to rent the apartment; her intent in making an appointment to see the apartment in question was to see if the apartment was available.

10. The sole reason the respondent Wallace Realty refused to rent the apartment to Mr. Laney was because the complainant was non-White.

CONCLUSIONS OF LAW

1. The apartment in question in this proceeding which is located at 138 Willard Street, Quincy, Massachusetts, comes within the definition of multiple dwelling within the meaning

of Chapter 151B, Section 4, Paragraph 6, of the General Laws of Massachusetts.

2. The course of conduct, statements and dealings of the respondent, Wallace Realty, through its agents or servants with respect to the complainant, James O. Laney, were such as to amount to a refusal to negotiate with the complainant in good faith for the renting of an apartment because of his race or color and constituted an unlawful practice within the meaning of Chapter 151B, Section 4, Paragraph 6, of the General Laws.

3. The course of conduct of the respondents Steven Percoco and Ann Percoco with respect to James O. Laney, complainant herein, was not such as to constitute unlawful discrimination under the General Laws of Massachusetts.

ORDER

On the basis of the foregoing and pursuant to the General Laws of Massachusetts, Chapter 151B, section 5, it is hereby **ORDERED** by the Massachusetts Commission Against Discrimination, that the respondent, Wallace Realty, its agents and servants:

1. Henceforth and in the future cease, desist and refrain from any inquiry, distinction, discrimination or restriction on account of race, color, religion, national origin or ancestry in the sale, rental or offering for rent of any housing accommodations owned, controlled or listed by it, and from denying or causing to be denied on the basis of race, color, religion or national origin or ancestry the opportunity to purchase, rent or lease or negotiate for the purchase, rental or lease of housing accommodations.

2. Include in each advertisement which said respondent either directly or indirectly as real estate owners, operators, managers or brokers, cause to be published in any newspaper offering properties for sale or rental, a statement in form satisfactory to the Commission, giving notice that each of the properties offered by the respondent is an "Equal Opportunity Listing." Said statement should appear in every said adver-

tisement published during the first six months after the date of service of this Order or twenty-six (26) separate advertisements whichever is longer after which it may be discontinued.

3. Pay to the complainant, James O. Laney, the sum of \$150.00. The damages are computed as follows:

Actual damages	\$ 50.00
Inconvenience and Mental Suffering	100.00
	<u>\$150.00</u>

4. Report to this Commission within thirty (30) days from date of service of this order on what steps the respondent has taken or is taking to comply with the above Order.

5. As to the respondents, Steven Percoco and Ann Percoco, the complaint is hereby dismissed.

Any person claiming to be aggrieved by an award of damages by the Commission may seek review thereof pursuant to Section 5 of Chapter 151B of the General Laws. Such proceeding must be instituted within ten (10) days of notice of such award.

Any person aggrieved by an Order of the Commission may obtain judicial review thereof, pursuant to Section 6 of Chapter 151B of the General Laws. Such proceeding must be instituted within thirty (30) days after service of this Order.

/s/ David Burres
DAVID BURRES
Hearing Commissioner

/s/Ben G. Shapiro
BEN G. SHAPIRO
Hearing Commissioner

Dated 7 January 1970 Boston, County of Suffolk

THE COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION

On Relation Of
RAFAEL RENTAS
133 Essex Street
Lawrence

COMPLAINANT

AGAINST
PARKWAY CAFE
Park Street
Lawrence

and

MRS. NORMA NIZIAK, Owner

and

MR. RICHARD NIZIAK, Bartender

RESPONDENTS

FINDINGS OF FACT
CONCLUSIONS OF LAW
AND ORDER

COMPLAINT No.

P-XIX-22-NO

On Relation Of
ARMANDO RIVERA
25 Theadore Street
Dorchester

COMPLAINANT

AGAINST
PARKWAY CAFE
Park Street
Lawrence

and

MRS. NORMA NIZIAK, Owner

and

MR. RICHARD NIZIAK, Bartender

RESPONDENTS

FINDINGS OF FACT
CONCLUSIONS OF LAW
AND ORDER

COMPLAINT No.

P-XIX-23-NO

These causes came on for hearing before Chairman Glendora M. Putnam and Commissioners David Burres and Gordon A. Martin, Jr., who, upon consideration of all of the evidence, set forth their findings, conclusions and orders as follows:

FINDINGS OF FACT

1. The complainants Rafael Rentas and Armando Rivera are of Puerto Rican national origin.

2. On or about August 8, 1969, the complainant Rentas was denied service at the Parkway Cafe, a place of public accommodation located at Park Street, Lawrence, Massachusetts.

3. On or about August 11, 1969, the plaintiffs Rentas and Rivera entered the said Parkway Cafe and requested that the bartender, the respondent Richard Niziak, serve them beer. The respondent refused, having been instructed by the respondent Norma Niziak not to serve Rentas and Rivera. The said Richard Niziak had previously been ordered by the said Norma Niziak not to serve any Puerto Ricans because of an altercation which allegedly had taken place at the Parkway Cafe a short time prior to August 11, 1969.

4. At the time that the complainants Rentas and Rivera entered the Parkway Cafe on or about August 11, 1969 the complainant Rentas had filed no complaint with this Commission relating to the events of August 8, 1969. The complainant Rivera was employed on August 11, 1969 as an investigator for the Massachusetts Commission Against Discrimination and had been told by the said Rentas of the events of August 8, 1969.

5. The complainants Rentas and Rivera suffered frustration, embarrassment and humiliation as a result of the respondent's refusal to serve them at the Parkway Cafe.

CONCLUSIONS OF LAW

1. The parties hereto are proper parties within the meaning of Massachusetts General Laws, Chapter 151B, Section 5.

2. The respondents discriminated unlawfully against the complainants on account of the complainant's national origin in violation of Massachusetts General Laws, Chapter 272, Section 98, in failing to serve the complainants in the respondent's place of public accommodation, the Parkway Cafe.

3. The complainants, as a result of the actions of the respondents, were caused mental suffering, embarrassment, frustration and humiliation.

4. The sole reason that the respondents refused to serve the complainants was because they were Puerto Ricans.

5. The orders herein made will effectuate the purposes of Massachusetts Laws, Chapter 151B, Section 5, and Chapter 272, Section 98.

ORDER

On the basis of the foregoing and pursuant to Massachusetts Laws 151B, Section 5, it is hereby ORDERED:

1. That the respondents shall henceforth display appropriate signs in the Parkway Cafe stating that the establishment serves all persons regardless of their religion, color, national origin or race, except for good cause applicable alike to all.

2. That the respondents cease and desist from any actions of unlawful discrimination in connection with the operation of the Parkway Cafe.

3. That the respondent Norma Niziak pay \$200.00 to the complainant Rentas.

4. That the respondent Richard Niziak pay \$100.00 to complainant Rentas.

5. The sums awarded in paragraphs 3 and 4 hereof are awarded for mental suffering, embarrassment, frustration and humiliation.*

*Notwithstanding its finding that the respondents discriminated unlawfully against both of the complainants, the Commission has determined as a matter of policy to make no award of damages to the complainant Rivera in view of the

particular circumstances of this case. As the evidence at the hearing disclosed, Rivera sought service at the Respondents' cafe mainly, if not solely for the purpose of determining the truth or falsity of the allegations of discriminatory treatment which had been related to him by the Complainant Rentas.

In effect, therefore, although no formal complaint had yet been filed by the complainant Rentas, Rivera was actually conducting an investigation of the complaint which was subsequently filed by Rentas. Rivera was in this practical sense acting within the scope of his authority as an investigator for this Commission; and we will consequently make no award of damages to him.

/s/ Glendora McIlwain Putnam
GLENDORA McILWAIN PUTNAM
Hearing Chairman

/s/Gordon A. Martin, Jr.
GORDON A. MARTIN, JR.
Hearing Commissioner

/s/David Burres
DAVID BURRESS
Hearing Commissioner

Dated 15 May 1970 Boston, County of Suffolk.

THE COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION

On Relation Of

WALTER JOHNSON

17 Noel Street

Springfield, Hampden County

COMPLAINANT

AGAINST

PRODUCTION PATTERN & FOUNDRY

McKinstry Avenue

Chicopee, Hampden County

RESPONDENT

FINDINGS OF FACT AND
CONCLUSIONS OF LAW
AND ORDER

COMPLAINT NO.

SVI-20-C

Upon all the evidence at the hearing herein the Massachusetts Commission Against Discrimination, before Glendora McIlwain Putnam, Hearing Chairman, and Hearing Commissioners Gordon A. Martin, Jr., and Ben G. Shapiro, finds that the respondent, Production Pattern & Foundry, has not engaged in unlawful discrimination in violation of Chapter 151B, Section 4, Paragraph 1 of the General Laws of Massachusetts and states its findings as follows:

FINDINGS OF FACT

1. The complainant is Mr. Walter Johnson of 17 Noel Street, Springfield, Massachusetts. Mr. Johnson is non-White.

2. For the past 17 years Mr. Johnson has been employed by the respondent, Production Pattern & Foundry.

3. During Mr. Johnson's period of employment he had been in numerous arguments and fights with fellow employees, both White and non-White.

4. On or about the morning of March 19, 1966, Mr. Johnson had an altercation with a Mr. Owens, a fellow employee, which resulted in both parties being warned and sub-

sequently suspended for three days. On or about October 13, 1968, Mr. Johnson became involved in an argument with another employee, Floyd Stevenson. This argument became so intense that Mr. Johnson picked up a bar of steel to do bodily harm to Mr. Stevenson, who is also non-White.

As a result of this incident, Mr. Johnson was notified by the management in October of 1968 that "any additional involvement by you that interrupts the normal work pattern of your fellow employees will be subject to severe disciplinary action by the company."

5. On February 20, 1970, Mr. Johnson started an altercation with a Mr. Corliss, a fellow union committeeman, which was quickly broken up by fellow employees. Shortly thereafter the plant superintendent, Mr. Czachara, appeared on the scene and after hearing the details of the incident informed Mr. Johnson that he was "fired".

6. Consequently, when on February 20, 1970, Mr. Johnson's employment was terminated, it was because of his frequent involvement in fights and other altercations that interrupted the normal work pattern of his fellow employees rather than because of his race or color.

CONCLUSION OF LAW

1. The course of conduct of the respondent, Production Pattern & Foundry, through its officers and management, with respect to the complainant, Mr. Walter Johnson, did not constitute unlawful discrimination under the General Laws of Massachusetts.

ORDER

The complaint is hereby dismissed.

In accordance with the provisions of Section 6, Chapter 151B of the General Laws, any complainant, respondent or other person aggrieved by such order of the Commission may

obtain judicial review thereof. Such proceeding must be instituted within thirty (30) days after the service of this order.

/s/ Glendora McIlwain Putnam
GLENDORA McILWAIN PUTNAM
Hearing Chairman

/s/ Gordon A. Martin, Jr.
GORDON A. MARTIN, JR.
Hearing Commissioner

/s/ Ben G. Shapiro
BEN G. SHAPIRO
Hearing Commissioner

Dated 12 June 1970 Boston, County of Suffolk

THE COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION

On Relation Of

ALVIN PLEASANTS

12 Arcadia Street

Dorchester, Massachusetts

COMPLAINANT

AGAINST

THE FORUM

464 Commonwealth Avenue

Boston, Massachusetts

and

JOHN A. MARQUARDO

Treasurer

520 Fulton Street

Medford, Massachusetts

and

ANGELO MAROTTA

President

74 Lincoln Road

Medford, Massachusetts

RESPONDENTS

FINDINGS OF FACT
CONCLUSIONS OF LAW
AND ORDER

COMPLAINT No.

PXIX-14-C

Upon all the evidence at the hearing herein the Massachusetts Commission Against Discrimination, by David Burres, Hearing Chairman, and Hearing Commissioners Ben. G. Shapiro and Gordon A. Martin, Jr., finds that the respondents have not engaged in unlawful discrimination in violation of Chapter 272, Section 98 of the General Laws of Massachusetts, and states its findings as follows:

FINDINGS OF FACT

1. The complainant is Mr. Alvin Pleasants of 12 Arcadia Street, Dorchester, Massachusetts. Mr. Pleasants is non-White.

2. The Forum is a nightclub located at 464 Commonwealth Avenue, Boston. The Club's clientele is 60-70% non-White and at the time of the alleged incident the band performing at the Forum had both White and non-White members.

3. On the evening of March 15, 1969, the complainant accompanied by his wife and three other couples, all non-White, entered the Forum and was told by the doorman on duty that there was a table for eight available.

4. After checking their coats, complainant and his party returned to the vicinity of the doorman who then asked members of the group for identification which would prove that they were over 21 years of age. Some members of the complainant's party were unable to produce any such identification, saying that they had left their papers in their car which was parked outside. Complainant then told the doorman that members of the band which was playing inside knew them and could attest to their ages, however, the doorman said that he must see the individuals' personal identification papers otherwise those without identification could not be admitted.

5. Deciding not to pursue the matter any further, complainant proceeded to the checkroom to reclaim his coat. While complainant was accomplishing this, he and other members of his party observed at least two couples, one White and one racially mixed enter the nightclub, exchange words with the doorman and pass into the barroom area.

6. Seeing this, complainant approached the doorman and asked why these other couples were not stopped and asked to produce identification. The doorman replied that he had authorization from the management to use his discretion as to which customers he would ask for identification. As a result, these customers, whom he knew through previous visits to be

over 21, were not asked for identification each time they came in.

7. Complainant and members of his party then began to protest to the doorman in loud voices that the latter and the management of the Forum were discriminating against his party because of their color.

8. At this point Mr. Angelo Marotta, the manager, appeared and asked the doorman what the trouble was. The doorman replied that some of the people did not have identification and that on that basis he was refusing admittance to these individuals.

9. Mr. Marotta told complainant and his party that if they did not have identification they must leave the premises. There then followed a loud exchange between Mr. Marotta and one or more members of the group, resulting at one point in some physical contact between Mr. Marotta and Mrs. McLean, one of the ladies in the party. Shortly thereafter, the group withdrew from the nightclub without further incident.

CONCLUSIONS OF LAW

1. The Forum, a nightclub located at 464 Commonwealth Avenue, Boston, Massachusetts, comes within the definition of a "public accommodation" as defined in Section 92A of Chapter 272 of the General Laws of Massachusetts.

2. The refusal to admit the complainant or other members of his party into the nightclub because they did not have identification papers which would show that they were over 21 years of age is not an unlawful practice as defined in Section 98 of Chapter 272 of the General Laws and there is not substantial evidence of any disparity of treatment which would constitute an unlawful practice.

3. The respondents did not discriminate against the complainant in violation of Chapter 272, Section 98 of the General Laws.

ORDER

The complaint is hereby dismissed.

In accordance with the provisions of Section 6 of Chapter 151B of the General Laws of Massachusetts, any complainant, respondent or other person aggrieved by such Order of the Commission may obtain judicial review thereof. Such proceeding must be instituted within thirty (30) days after the service of this Order.

/s/ David Burres

DAVID BURRES

Hearing Chairman

/s/ Gordon A. Martin, Jr.

GORDON A. MARTIN, JR.

Hearing Commissioner

/s/ Ben G. Shapiro

BEN G. SHAPIRO

Hearing Commissioner

Dated 12 June 1970 Boston, County of Suffolk.

THE COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION

On Relation Of

HARRY HILL and SANDRA HILL
2257 Page Boulevard
Indian Orchard, Springfield
Hampden County

COMPLAINANTS

AGAINST

KENNETH TIERNEY and IRENE TIERNEY
46 Allen Street
Holyoke, Hampden County

RESPONDENTS

FINDINGS OF FACT
CONCLUSIONS OF LAW
AND ORDER

COMPLAINT No.

SPrH V-17-C

Upon all the evidence at the hearing herein the Massachusetts Commission Against Discrimination, by Glendora McIlwain Putnam, Hearing Chairman, and Gordon A. Martin, Jr., Hearing Commissioner, finds that respondents, Kenneth Tierney and Irene Tierney, 46 Allen Street, Holyoke, Hampden County, have engaged in an unlawful practice as defined in Chapter 151B, Section 4, Paragraph 7 of the General Laws of Massachusetts and states its findings as follows:

FINDINGS OF FACT

1. The complainant Sandra Hill is married to the complainant Harry Hill. Harry Hill was employed in December 1968 at the Worthington Corporation in Holyoke. Mrs. Hill is White. Mr. Hill is non-White.
2. The respondents, Kenneth Tierney and Irene Tierney, in December 1968 owned an apartment, which was for rent, on 2 Cottage Avenue in Holyoke, Hampden County. The said property was later sold on March 4, 1969.
3. On December 5, 1968, the complainant Sandra Hill saw an ad in the *Holyoke Transcript* advertising respondents' apartment for rent.

4. That same evening, December 5, Mrs. Hill went to the apartment and informed Mr. Tierney that she was interested in renting it. She offered him a deposit; but he refused, saying he was going to paint and that she should wait.

5. On December 7, 1968, Mrs. Hill returned to the apartment with her daughter Michelle, who appears to be a child of some Black parentage. This time Mrs. Hill asked Mr. Tierney, "if he was going to rent the place to us?" Mr. Tierney replied that he would rent them the apartment, but he again refused to accept a deposit. He did, however, state that Mrs. Hill was the first one on the list and that the apartment would be hers. During the course of his conversation with Mrs. Hill, Mr. Tierney saw her daughter Michelle.

6. The complainants tried several times thereafter to get in contact with Mr. Tierney but were unsuccessful in their attempts until December 19, 1968, when they went to his home. It was at this time that Mr. Tierney first informed the Hills that the apartment had already been rented.

7. The respondent Kenneth Tierney rented the apartment on or around December 8, 1968, to another family after having previously promised the apartment to the Hills.

8. The said respondent Kenneth Tierney contends that his sole reason for not having rented the apartment to the complainants is because he was uncertain as to whether Mrs. Hill was married since he had not, prior to December 19, 1968, met Mr. Hill. Mr. Tierney had, however, been advised both of how to contact the Hills at their residence and of Mr. Hills' place of employment, and not once had he informed Mrs. Hill that he wished to meet her husband nor did he so advise the Hills on December 19, 1968.

CONCLUSIONS OF LAW

1. The apartment in question in this proceeding located at 2 Cottage Avenue, Holyoke, Hampden County, comes with the definition of "other covered housing accommodations" within the meaning of Chapter 151B, Section 1, Paragraph 13, of the Massachusetts General Laws.

2. The course of conduct, statements and dealings of the respondent Kenneth Tierney, with respect to the complainants, Harry Hill and Sandra Hill, constituted a refusal to rent or lease an apartment to the complainants because of Mr. Hill's race and/or color and Michelle Hill's race and/or color, and constituted an unlawful practice within the meaning of Chapter 151B, Section 4, Paragraph 7, of the General Laws.

ORDER

On the basis of the foregoing and pursuant to the General Laws of Massachusetts, Chapter 151B, Section 5 it is hereby **ORDERED** by the Massachusetts Commission Against Discrimination that the respondents, their agents and servants:

1. Pay to the complainants Harry Hill and Sandra Hill the sum of \$300.00 for mental suffering.

2. Henceforth and in the future cease and desist and refrain from any inquiry, distinction, discrimination or restriction on account of race, color, religion or national origin or ancestry in the rental or offering for rent of any housing accommodations owned or controlled by them and from denying, on the basis of race, color, religion or national origin or ancestry, the opportunity to rent or lease or negotiate for the rental or lease of said housing accommodations.

3. Report to this Commission within thirty (30) days from date of service of this Order on what steps respondents have taken or are taking to comply with the foregoing Order.

Any person claiming to be aggrieved by an award of damages by the Commission may seek review thereof pursuant to Section 5 of Chapter 151B of the General Laws. Such proceeding must be instituted within ten (10) days of notice of such award.

Any person aggrieved by an order of the Commission may obtain judicial review thereof, pursuant to Section 6 of Chap-

ter 151B of the General Laws. Such proceeding must be instituted within thirty (30) days after service of this order.

/s/ Glendora McIlwain Putnam
GLENDORA McILWAIN PUTNAM
Hearing Chairman

/s/ Gordon A. Martin, Jr.
GORDON A. MARTIN, JR.
Hearing Commissioner

Dated 7 August 1970 Boston, County of Suffolk

THE COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION

On Relation Of
FRANK H. LIEVERS
7 Fowler Street
Dorchester, Suffolk County

COMPLAINANT

AGAINST

GENERAL ELECTRIC COMPANY
1000 Western Avenue
Lynn, Essex County

RESPONDENT

FINDING OF FACT AND
CONCLUSIONS OF LAW
AND ORDER
COMPLAINT No.

XXIV-69-C

Upon all the evidence at the hearing herein the Massachusetts Commission Against Discrimination, before Glendora McIlwain Putnam, Hearing Chairman, and Hearing Commissioners Gordon A. Martin, Jr. and David Burres, finds that the respondent, General Electric Company, has not engaged in unlawful discrimination in violation of Chapter 151B, Section 4, Paragraph 1 of the General Laws of Massachusetts and states its findings as follows:

FINDINGS OF FACT

1. The complainant is Mr. Frank Lievers of 7 Fowler Street, Dorchester. Mr. Lievers is non-White.
2. Complainant was first hired by respondent as servicer laborer in March of 1966.
3. Complainant was suspended on December 26, 1967, for an alleged assault on two fellow employees and for running a crane off its tracks and damaging it on December 22, 1967. Complainant had no authority to operate the crane nor was it part of his regular job. Complainant subsequently was notified of his discharge by telegram dated December 28, 1967.

4. Complainant's discharge was subsequently settled informally by agreement between complainant's Labor Union and the respondent. Consequently, the complainant was reinstated a few months later, without loss of service credit but with the loss of approximately four months' wages as mitigated penalty.

5. On March 14, 1969, Mr. Lievers, complainant, became involved in an incident with Dana Bates, also employed by the General Electric Company. It was during this incident that the complainant, without justification, struck Mr. Bates, resulting in both Frank Lievers and Dana Bates subsequent suspension pending an investigation.

6. Following the investigation it was decided that Mr. Bates, since he proved to be innocent of any wrongdoing, would be reinstated. However, it was also decided that the complainant's employment at General Electric should be terminated because of his continued disruptive behavior.

7. Respondent company followed their usual practice of suspension of both parties pending investigation, and then discharge of only the aggressor party involved in an altercation. This practice has been followed by the respondent company when dealing with both Black and White employees.

CONCLUSION OF LAW

1. The course of conduct of the respondent, General Electric Company, through its officers and management, with respect to the complainant, Mr. Frank Lievers, did not constitute unlawful discrimination under the General Laws of Massachusetts.

ORDER

The complaint is hereby dismissed.

In accordance with the provisions of Section 6, Chapter 151B of the General Laws, any complainant, respondent or other person aggrieved by such order of the Commission may

obtain judicial review thereof. Such proceeding must be instituted within thirty (30) days after the service of this order.

/s/ Glendora McIlwain Putnam
GLENDORA McILWAIN PUTNAM
Hearing Chairman

/s/ Gordon A. Martin, Jr.
GORDON A. MARTIN, JR.
Hearing Commissioner

/s/ David Burres
DAVIS BURRES
Hearing Commissioner

Dated 31 August 1970 Boston, County of Suffolk

THE COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION

On Relation Of

JOHN JONES
1 Linehurst Road
Revere, Suffolk County

COMPLAINANT

AGAINST

THOMAS F. O'DONNELL, President
Trimount Bituminous Products
Company
1840-50 Parkway
Everett, Middlesex County
and

FINDINGS OF FACT
CONCLUSIONS OF LAW
AND ORDER

COMPLAINT No.
PrH X-56-C

STUART LAMB
Trimount Bituminous Products Company
1831 Broadway
Saugus, Essex County
and

TRIMOUNT BITUMINOUS PRODUCTS COMPANY
1840-50 Parkway
Everett, Middlesex County
RESPONDENTS

Upon all the evidence at the hearing herein the Massachusetts Commission Against Discrimination, by David Burres, Esquire, Acting Chairman, Gordon A. Martin, Jr., Esquire, Hearing Commissioner, and Ben G. Shapiro, Hearing Commissioner (dissenting), finds that respondents Thomas F. O'Donnell, Stuart Lamb, and Trimount Bituminous Products Company have engaged in an unlawful practice as defined in Chapter 151B, Section 4, Paragraph 7, of the General Laws of Massachusetts and states its findings as follows:

FINDINGS OF FACT

1. The complainant John Jones at the time the complaint was filed, resided at 1 Linehurst Road, Revere, Massachusetts. The complainant is non-White.

2. On July 23, 1968, the complainant's home, located at 175 Grandview Avenue, Revere, Massachusetts, was totally destroyed by fire. As a result of being homeless, the complainant was forced to seek living accommodations for his wife and four sons.

3. On Monday, July 29, 1968, complainant was informed of some prospective homes for rent by a friend, Rose Whitehead, Collins Avenue, Saugus, Massachusetts, who told complainant that the owner of the homes was the Trimount Bituminous Products Company, located at 1831 Broadway, Saugus, Massachusetts. The complainant went to the latter location and was shown a seven-room house at number 47 Collins Avenue, Saugus, Massachusetts, by respondent Stuart Lamb, an employee of Trimount Bituminous Products Company, who represented to complainant that he was in charge of renting the premises.

4. Stuart Lamb offered the premises to complainant at a rental of \$110 per month which Mr. Lamb said he would collect the first of the month. Mr. Lamb informed complainant at that time that he could move in immediately.

5. Complainant set about making arrangements for moving into the house at 47 Collins Avenue, which included visiting a utilities company and purchasing a kitchen set and various household items.

6. The following evening, July 30, 1968, Stuart Lamb called complainant at his shop at 1 Linehurst Road, Revere, Massachusetts and spoke to the complainant's son, John Jones, Jr. Mr. Lamb told him that he had been informed by Mr. Hoffman, a fellow employee of Trimount, that the house had been rented to a Mr. Murphy previous to Lamb's offer to the complainant, and that therefore the house was not available to complainant. Mr. Lamb made no further attempt to

contact the complainant personally thereafter despite various attempts by the complainant to contact him.

7. The respondent Lamb on or shortly after July 30, 1968, as subterfuge, offered the premises at 47 Collins Avenue for rental to a Black employee of Trimount, one Charles Mackie, knowing that the latter's family situation would not permit his accepting.

8. During the month of August 1968, the complainant and his family suffered great inconvenience, living first with one daughter, then another, and having his sons live with neighbors.

9. The premises at 47 Collins Avenue were never occupied by Mr. Murphy. The respondent Lamb learned of this but made no effort to rent the premises to the complainant despite having no doubt of the complainant's sincere interest in the premises. The premises were rented to one Robert Quinn, a new Trimount employee, on August 18, 1968, by respondent Thomas F. O'Donnell, President of Trimount Bituminous Products Company.

10. The premises were rented to Mr. Quinn more than two weeks after complainant was told the house was not available for rental to him, and was never in fact occupied by the alleged prior party, Mr. Murphy. Messrs. Murphy and Quinn are both White.

CONCLUSIONS OF LAW

1. The house in question in this proceeding, now demolished, located at 47 Collins Avenue in Saugus, Massachusetts, comes within the definition of "other covered housing accommodations" within the purview of Chapter 151B, Section 1, Paragraph 13, of the Massachusetts General Laws.

2. The course of conduct, statements and dealings of the respondent Trimount Bituminous Products Company and of the respondents Stuart Lamb and Thomas F. O'Donnell, as an employee and President respectively of the said company, with respect to the complainant John Jones, constituted discrimination in the rental of the house at 47 Collins Avenue

because of Mr. Jones' race and/or color, and thereby constituted an unlawful practice within the meaning of Chapter 151B, Section 4, Paragraph 7, of the General Laws.

ORDER

On the basis of the foregoing and pursuant to the General Laws of Massachusetts, Section 5 it is hereby ORDERED by the Massachusetts Commission Against Discrimination that respondents Trimount Bituminous Products Company, Stuart Lamb and Thomas F. O'Donnell each:

1. Pay to the complainant John Jones the sum of \$200 for causing him humiliation and mental anguish, the total award of monetary damages being \$600.

2. Henceforth and in the future cease and desist and refrain from any inquiry, distinction, discrimination or restriction on account of race, color, religion or national origin or ancestry in the rental or offer of rental of any housing accommodations owned or controlled by them and from denying, upon any of the aforementioned basis, the opportunity to rent or lease or negotiate for the rental or lease of said housing accommodations.

3. Report to this Commission within (30) days from date of service of this Order on what steps respondents have taken or are taking to comply with the foregoing Order.

Any person claiming to be aggrieved by an award of damages by the Commission may seek review thereof pursuant to Section 5 of Chapter 151B of the General Laws. Such proceeding must be instituted within ten (10) days of notice of such award.

Any person aggrieved by an Order of the Commission may obtain judicial review thereof, pursuant to Section 6 of Chapter 151B of the General Laws. Such proceeding must be instituted within thirty (30) days after service of this Order.

/s/ David Burres
DAVID BURRES
Acting Hearing Chairman

/s/ Gordon A. Martin, Jr.
GORDON A. MARTIN, Jr.
Hearing Commissioner

Commissioner Ben G. Shapiro, considering the testimony of the respondent to be more credible than that of the complainant, dissents.

/s/ Ben G. Shapiro
BEN G. SHAPIRO -DISSENTING
Hearing Commissioner

Dated 25 September 1970 Boston, County of Suffolk

THE COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION

On Relation Of

CORA MAE MURPHY

75 Elm Hill Avenue

Roxbury, County of Suffolk

COMPLAINANT

AGAINST

LEWIS WEINSTEIN and SADIE WEINSTEIN

29 Babson Street

Mattapan, County of Suffolk

and

ROSLYN KAPLAN

29 Babson Street

Mattapan, County of Suffolk

RESPONDENTS

FINDINGS OF FACT

CONCLUSIONS OF LAW
AND ORDER

COMPLAINT NO.

PrH-XI-6-C

Upon all the evidence at the hearing herein the Massachusetts Commission Against Discrimination, before Hearing Commissioners David Burres and Ben G. Shapiro, finds that the respondents Lewis Weinstein, Sadie Weinstein and Roslyn Kaplan have not engaged in unlawful discrimination in violation of Chapter 151B, Section 4, Paragraph 7, of the General Laws of Massachusetts and states its findings as follows:

FINDINGS OF FACT

1. The complainant is Mrs. Cora Mae Murphy presently of 605 Morton Street, Mattapan. Mrs. Murphy is non-White.

2. Respondents Lewis Weinstein and Sadie Weinstein, at the time of the complaint, owned a three-family dwelling at 29 Babson Street, Mattapan. The Weinsteins make their residence at 5 Atlas Road, Sharon. Respondent Roslyn Kaplan is the daughter of Lewis and Sadie Weinstein. She resides at 9 Atlas Road, Sharon.

3. In January, 1969, Lewis Weinstein placed the house at 29 Babson Street, Mattapan on the market for sale.

4. Complainant, Mrs. Cora Mae Murphy learned from Mrs. Barbara Post, an agent of London Realty Trust, that the house was for sale. Complainant was directed to the house by Mrs. Post. At approximately 6 p.m. on January 2 the complainant was taken inside by Mrs. Weinstein whereupon the latter requested her daughter, Mrs. Kaplan, to show the complainant around. Complainant was shown the first floor and the basement. When she inquired about the second and third floors she was told by Mrs. Kaplan that they were quite similar and that it was too late in the evening to disturb the tenants. Complainant requested to be shown the first floor once again before she left, and Mrs. Kaplan did as she requested.

5. Complainant had no conversation with either Mrs. Weinstein or Mrs. Kaplan concerning the selling price. Nor did she at any time receive any indication that the house would not be sold to her because she was Black.

6. Complainant returned to Mrs. Post's office whereupon Mrs. Post called the respondent Mrs. Kaplan and offered the price of \$23,500. Mrs. Kaplan informed Mrs. Post that Mr. Weinstein wanted \$25,000, a fact that Mrs. Post was well aware of before the complainant was shown the house, since Mrs. Post had attempted to convince Mrs. Kaplan in the past that the price was too high and had received the same response. Mrs. Post informed Mrs. Kaplan that she was in receipt of a deposit from the complainant. In fact, Mrs. Post was never in receipt of any deposit from the complainant.

7. Mrs. Post subsequently spoke with Mr. Weinstein and offered \$23,500 on behalf of the complainant. At the time of this conversation Mr. Weinstein maintained that his selling price was \$25,000 and that he wanted a deposit brought to him before there was any further discussion. Mrs. Post replied that she did not trust Mr. Weinstein and would keep the deposit she allegedly held. Mr. Weinstein said he did not trust Mrs. Post and did not care to have any further business with her.

8. On or about January 6, 1969, complainant was informed by Mrs. Post that she was unable to buy the house at 29 Babson Street because she was Black.

9. On or about January 17, 1969, complainant charged respondents with unlawful discrimination against her in housing in violation of General Law (Ter. Ed.) Chapter 151B, Section 4, paragraph 7, because of color.

10. In March, 1969, Mr. Weinstein telephoned complainant and offered to sell the dwelling house at 29 Babson Street to her. Complainant informed Mr. Weinstein that she had already bought a house. Mr. Weinstein then reiterated his prior position, stating that a deposit on the property should have been tendered to him in January.

CONCLUSION OF LAW

1. The course of conduct of each respondent named herein with respect to the complainant, Mrs. Cora Mae Murphy, did not constitute unlawful discrimination under the General Laws of Massachusetts.

ORDER

The complaint is hereby dismissed.

In accordance with the provisions of Section 6, Chapter 151B, of the General Laws, any complainant, respondent or other person aggrieved by such Order of the Commission may obtain judicial review thereof. Such proceeding must be instituted within thirty (30) days after the service of this Order.

/s/ David Burres
DAVID BURRES
Hearing Commissioner

/s/ Ben G. Shapiro
BEN G. SHAPIRO
Hearing Commissioner

Dated 15 December 1970 Boston, County of Suffolk

THE COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION

On Relation Of

MARGUERITE MUMFORD
10 Allen Street
Salem, Essex County

COMPLAINANT

AGAINST

DAVID I. LEARY
364 Medford Street
Somerville, Middlesex County

RESPONDENT

FINDINGS OF FACT
CONCLUSIONS OF LAW
AND ORDER

COMPLAINT NO.

PrHXI-60-C

Upon all the evidence at the hearing herein the Massachusetts Commission Against Discrimination by Glendora M. Putnam, Chairman, and Hearing Commissioners Gordon A. Martin, Jr. and David Burres, finds that the respondent David I. Leary, 364 Medford Street, Somerville, Massachusetts has engaged in an unlawful practice as defined in Chapter 151B, Section 4, Paragraph 6, of the General Laws of Massachusetts and states its findings as follows:

FINDINGS OF FACT

1. The complainant, Marguerite Mumford of 10 Allen Street, Salem, Massachusetts is non-White.

2. Respondent David I. Leary is a licensed real estate broker with his business address at 364 Medford Street, Somerville, Massachusetts.

3. On June 17, 1969, the complainant made a telephone call in response to a real estate listing in the yellow pages of the Boston and vicinity telephone directory for the respondent, David I. Leary. The complainant spoke with a man who identified himself as the respondent, indicated that she was in desperate need of housing and inquired whether there was a four-room apartment presently available. The respondent

stated that an apartment was available at 230 Pearl Street, Somerville, Massachusetts, at \$110 per month.

4. The respondent had been authorized to sell the building located at 230 Pearl Street, Somerville, Massachusetts, or to rent the apartment therein to a prospective buyer by the owners of said building, Mr. and Mrs. Brundich.

5. On or about June 28, 1969, the complainant and her husband went to the respondent's office at 364 Medford Street, Somerville. The complainant stated that she and her husband were currently not in a position to purchase the building but would be interested at a later date. On that basis the respondent accepted a cash deposit in the amount of one month's rent (\$110) from the complainant. The respondent further indicated that the apartment would not be available until the sixth or seventh of July as the owner was having trouble in removing the tenant on the first floor from the premises and had gone to court in order to evict said tenant.

6. Subsequent to the above-mentioned meeting with the complainant, the respondent requested one of the owners, Mr. Brundich, to meet with the respondent at his place of business in order to discuss the rental and prospective sale. During the course of the meeting Mr. Brundich inquired as to the race of the prospective tenant. The respondent replied that they were "colored". Mr. Brundich immediately expressed concern over possible intermarriage with colored people within his family and over property values in the neighborhood should colored people move in. Mr. Brundich then stated that he did not want "colored" people in the building and that he would see his attorney, Mr. Nissenbaum. Mr. Brundich then left the office.

7. The next morning the respondent received a telephone call from the owner's attorney, Mr. Nissenbaum, notifying the respondent that he was no longer the agent of the owner for the sale of the building at 230 Pearl Street, Somerville, or rental of the apartment therein.

8. The respondent then telephoned the complainant and requested that she come to his office to discuss a new develop-

ment with the owner. At that meeting the respondent notified the complainant that the owner did not want to rent to "colored" people and returned her deposit to her.

9. The sole reason the owners, Mr. and Mrs. Brundich, refused to rent the apartment to Mrs. Mumford was because the complainant was non-White.

10. The sole source of information open to the owner regarding the race of the prospective tenant at the time of the owner's refusal to rent to the complainant was the statement of the respondent that Mrs. Mumford was "colored".

11. The respondent permitted an inquiry as to race and made no attempt to refuse to answer such a question or to inform the owner that such an inquiry was prohibited by the General Laws of the Commonwealth. In fact, as a matter of course, the respondent permits and answers such inquiries by his clients regarding the race or national origin or the prospective buyer or tenant.

CONCLUSIONS OF LAW

1. The apartment in question in this proceeding which is located at 230 Pearl Street, Somerville, Massachusetts, comes within the definition of multiple dwelling within the meaning of Chapter 151B, Section 4, Paragraph 6, of the General Laws of Massachusetts.

2. The action and standard of conduct of the respondent were such as to cause to be made an oral inquiry by the owner which concerned the race of the complainant, Marguerite Mumford, and thereby constituted an unlawful practice within the meaning of Chapter 151B, Section 4, Paragraph 6, of the General Laws of Massachusetts.

ORDER

On the basis of the foregoing and pursuant to the General Laws of Massachusetts, Chapter 151B, Section 5, it is hereby ordered by the Massachusetts Commission Against Discrimination that the respondent, David I. Leary:

1. Henceforth and in the future cease, desist and refrain

from any response to an inquiry concerning the race, creed, color or national origin of the person seeking to purchase, rent or lease or negotiate for the purchase, rental or lease of housing accommodations other than to state that such inquiries are prohibited by the General Laws of the Commonwealth.

2. Pay to the complainant, Marguerite Mumford the sum of \$300.00. The damages are computed as follows:

Inconvenience and Mental Suffering	\$300.00
	<u>\$300.00</u>

3. Report to this Commission within thirty (30) days from date of service of this Order on what steps the respondent has taken or is taking to comply with the above Order.

While the foregoing does constitute a finding that the respondent licensed broker did commit an unlawful practice in violation of Chapter 151B, Section 4, Paragraph 6, in the course of his occupation as a licensed broker, this opinion shall not constitute notice to the Board of Registration of Real Estate Brokers and Salesmen pursuant to Section 87AAA of Chapter 112 of the General Laws of the Commonwealth as the Commissioners are enunciating a new policy by this opinion.

Any person claiming to be aggrieved by an award of damages by the Commission may seek review thereof pursuant to Section 5 of Chapter 151B of the General Laws. Such proceeding must be instituted within ten (10) days of notice of such award.

Any person aggrieved by an Order of the Commission may obtain judicial review thereof, pursuant to Section 6, of Chapter 151B, of the General Laws. Such proceeding must be instituted within thirty (30) days after service of this Order.

/s/ Glendora McIlwain Putnam
GLENDORA McILWAIN PUTNAM
Hearing Commissioner

/s/ Gordon A. Martin, Jr.
GORDON A. MARTIN, JR.
Hearing Commissioner
/s/ David Burres
DAVID BURRES
Hearing Commissioner

Dated 6 November 1970 Boston, County of Suffolk

THE COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION

On Relation Of

MARGUERITE MUMFORD

10 Allen Street

Salem, Essex County

COMPLAINANT

AMENDMENT TO
CONCLUSIONS OF LAW

AGAINST

DAVID I. LEARY

364 Medford Street

Somerville, Middlesex County

RESPONDENT

COMPLAINANT NO.

PrHXI-60-C

The Conclusions of Law issued by the Massachusetts Commission Against Discrimination on the complaint of Marguerite Mumford against David I. Leary, and served upon the respondent, David I. Leary, are hereby amended by inserting after paragraph 2 of the section entitled Conclusions of Law, the following new paragraph:

3. The action of the respondent in replying to the oral inquiry by the owner as to the race of the complainant, Marguerite Mumford, was such as to cause to be made a record concerning the race of the complainant, Marguerite Mumford, and thereby constituted an unlawful practice within the meaning of Chapter 151B, Section 4, Paragraph 6, of the General Laws of Massachusetts.

4. The action of the respondent in replying to the oral inquiry by the owner as to the race of the complainant, Marguerite Mumford, was an act of discrimination in the acquisition of an apartment within the definition of a multiple dwelling and thereby constituted an unlawful practice within the meaning of Chapter 151B, Section 4, Paragraph 6, of the General Laws of Massachusetts.

Any person aggrieved by an order of the Commission may obtain judicial review thereof, pursuant to Section 6, of Chap-

ter 151B, of the General Laws. Such proceeding must be instituted within thirty (30) days after service of this order.

/s/ Glendora McIlwain Putnam
GLENDORA McILWAIN PUTNAM
Hearing Chairman

/s/ Gordon A. Martin, Jr.
GORDON A. MARTIN, JR.
Hearing Commissioner

/s/ David Burres
DAVID BURRESS
Hearing Commissioner

Dated 18 December 1970 Boston, County of Suffolk.

**THE COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION**

On Relation Of

KAREN BLAIR

126 Talbot Avenue

Dorchester, Suffolk County

COMPLAINANT

AGAINST

KARL POSH

59 Bailey Street

Dorchester, Suffolk County

RESPONDENT

FINDINGS OF FACT
CONCLUSIONS OF LAW
AND ORDER

COMPLAINT No.

70PrH-65-C

Upon all the evidence at the hearing herein the Massachusetts Commission Against Discrimination, by Glendora M. Putnam, Hearing Chairman and David Burres and Ben G. Shapiro, Hearing Commissioners, finds that the respondent Karl Posh, 59 Bailey Street, Dorchester, Massachusetts, has engaged in unlawful practices as defined in Chapter 151B, Section 4, Paragraph 7 of the General Laws of Massachusetts and states its findings as follows:

FINDINGS OF FACT

1. The complainant, Karen Blair, at the time the discriminatory acts took place, resided at 126 Talbot Avenue, Dorchester, Massachusetts. Karen Blair is non-White.

2. Respondent, Karl Posh, at the time the discriminatory acts took place, was the owner of an apartment building located at 59-61 Bailey Street, Dorchester, Massachusetts, and resided therein.

3. On Tuesday, June 23, 1970, the complainant observed an advertisement in the Boston Globe Newspaper offering an apartment for rent. The advertisement stated "Dorchester, 5 and 6 rooms, gas on gas, \$130.00 mo.; good location, good transportation: call 288-4472 after 6."

4. At approximately 6:30 p.m. on the same day, in response to this advertisement, the complainant called the telephone number contained therein. A man, later identified as the respondent, answered the telephone and sometime during the ensuing conversation inquired of the complainant as to her national origin. Complainant answered that she was Negro. Respondent then advised her that he required a \$2,000.00 security deposit. Respondent refused to reveal the location of the apartment to the complainant and when the complainant asked the respondent for his name, he terminated the conversation without divulging this information.

Mrs. Blair then asked her mother to call the respondent and she too was asked about her nationality. She replied that she was "American" but the respondent would not reveal his name or address to her either.

Mrs. Blair then requested that her aunt call the respondent and she too was asked her national origin. She replied that she was Jewish. The respondent said that he liked Jewish people and made an appointment with Mrs. Blair's aunt to show her the apartment at 10:00 o'clock in the morning of the next day, Wednesday, June 24, 1970. Respondent did not mention anything about a \$2,000.00 security deposit to Mrs. Blair's aunt during their telephone conversation.

5. The Commission found from the statements and demeanor of Karen Blair at the hearing herein that she suffered embarrassment and humiliation as a result of the actions of the respondent Karl Posh. The Commission further found that Karen Blair was caused to continue to reside in an inadequate apartment as a result of the actions of the respondent Karl Posh.

CONCLUSIONS OF LAW

1. The housing accommodations in question in this proceeding located at 59-61 Bailey Street, Dorchester, Massachusetts, come within the definition of "other covered housing accommodations" as defined in Chapter 151B, Section 1, Paragraph 13, of the Massachusetts General Laws.

2. The course of conduct, statements and dealings of the

respondent, Karl Posh, with respect to the complainant, Karen Blair were such as to constitute unlawful practices within the meaning of Chapter 151B, Section 4, Paragraph 7, of the General Laws.

ORDERS

On the basis of the foregoing and pursuant to the General Laws of Massachusetts, Chapter 151B, Section 5, it is hereby ORDERED by the Massachusetts Commission Against Discrimination that the respondent, his agents and servants:

1. Henceforth and in the future cease and desist and refrain from any inquiry, distinction, discrimination or restriction on account of race, color, religion or national origin or ancestry in the rental or offering for rent of any housing accommodations owned or controlled by him and from denying, on the basis of race, color, religion, or national origin or ancestry the opportunity to rent or lease or negotiate for the rental or lease of said housing accommodations.

2. Pay to the complainant, Karen Blair, the sum of \$500.00. The damages are computed as follows:

Inconvenience and
mental suffering \$500.00

3. Report to this Commission within thirty (30) days from the date of service of this Order as to what steps respondent has taken or is then taking to comply with the foregoing order.

Any person claiming to be aggrieved by an award of damages by the Commission may seek review thereof pursuant to Section 5 of Chapter 151B of the General Laws. Such proceeding must be instituted within ten (10) days of notice of such award.

Any person aggrieved by an order of the Commission may obtain judicial review thereof, pursuant to Section 6 of Chapter 151B, of the General Laws. Such proceeding must be instituted within thirty (30) days after service of this Order.

/s/ Glendora McIlwain Putnam
GLENDORA McILWAIN PUTNAM
Hearing Chairman
/s/ David Burres
DAVID BURRES
Hearing Commissioner
/s/ Ben G. Shapiro
BEN G. SHAPIRO
Hearing Commissioner

Dated 29 December 1970 Boston, County of Suffolk.

**THE COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION**

On Relation Of

JOSEPH SAMUELS ET AL.,
50 Meadows Street
Amherst, Franklin County

COMPLAINANT

AGAINST

DOROTHY KING STIRLING
East Leverett Road
Leverett, Hampshire County

RESPONDENT

FINDINGS OF FACT AND
CONCLUSION OF LAW
AND ORDER

COMPLAINT NO.
70-SPrH-7-C

This cause came on for hearing before Chairman Glendora M. Putnam and Commissioner Gordon A. Martin, Jr., who, upon consideration of all the evidence, set forth their findings, conclusions and orders as follows:

FINDINGS OF FACT

1. Complainants Joseph Samuels and Ronny Samuels are husband and wife and reside at 50 Meadow Street, Amherst, Massachusetts. Joseph Samuels is non-White and Ronny Samuels is White. They are the parents of one child. Joseph Samuels is a graduate student at the University of Massachusetts where he also teaches.

2. On or about Monday, June 29, 1970, the complainant Ronny Samuels called the respondent, who is White to inquire about houses or apartments that the respondent had available for rent. Shortly after their telephone conversation the complainant Ronny Samuels met with the respondent, and was shown two dwellings known as the Old Roaring Lion and the Russell House, both of which were located in Leverett, and were available to rent.

3. Later that same day, June 29, 1970 the complainant Joseph Samuels went to see the two houses in question i.e. Old Roaring Lion and the Russell House. He was accompanied by a friend, Everett Smith, who was also non-White. They went to Russell House, where he saw Alice Truehart and Lonnie Sanborn, both White who were employed by the respondent, to paint the said house. The complainant Joseph Samuels talked with them and made inquiries relative to the two houses, the Russell House and Old Roaring Lion. He also informed them that his wife had seen the two houses earlier that day. Upon completing their painting for the day at approximately 5 P.M., Alice Truehart and Lonnie Sanborn went to the respondent's home to obtain monies due them.

4. Leverett is a small town where gossip and other news travels quickly.

5. The respondent learned that the complainant Joseph Samuels was non-White and, when telephoned in the late afternoon by the complainant Ronny Samuels, she informed the complainant that the houses in question were not available.

6. On that same day, June 29, 1970, at approximately 5:30 P.M., Ellen Walsh, a prospective tenant, who was of the Caucasian race, was informed by the respondent that the Old Roaring Lion House was still available to rent.

7. At approximately 7:30 P.M. on June 29, 1970, Donald Cunnif and Bonnie Cunnif, husband and wife, both of whom were Caucasian and who were friends of the complainants, contacted the respondent and informed her they were interested in buying or renting either the Old Roaring Lion or the Russell House. They were informed by the respondent that both the houses were available.

8. When the respondent told the complainant that the housing accommodations applied for were rented and not available they were, in fact, not rented and were available.

9. The sole reason that the respondent told the complainant that the premises were rented when they were not and were still available for rental, was because the complainant, Joseph Samuels was non-White.

10. As a direct result of the respondent's refusal to rent the premises in question, to the complainants, the complainants have suffered extreme mental distress, frustration and humiliation and were forced to continue to live in cramped quarters. The complainant, Joseph Samuels who had been active in various aspects of civil rights, such as race relations problems, including work in high schools, television appearances and panel groups, became despondent and curtailed them. He further has been delayed in the completion of his graduate work, which has cost him both time and money.

CONCLUSION OF LAW

1. The parties hereto are proper parties within the meaning of General Laws, Chapter 151B, Section 5.

2. The respondent discriminated unlawfully, in violation of General Laws, Chapter 151B, Section 4, against the complainants, on account of the complainant Joseph Samuels being non-White, in failing to rent the houses which were actually available to the complainants.

3. The complainants as a result of the respondent's actions, were caused mental suffering, frustration and humiliation and were found to continue to live in cramped quarters. The complainant Joseph Samuels' activities in various areas of civil rights, such as race relation problems, including work in high schools, television appearances and panel groups have been curtailed. He further has been delayed in the completion of his graduate work and as a result has cost time and money.

ORDER

The Orders hereunder will effectuate the purposes of General Laws, Chapter 151B.

On the basis of the foregoing, and pursuant to General Laws, Chapter 151B, Section 4 and 5, it is hereby ORDERED by the Massachusetts Commission Against Discrimination.

1. The said respondent shall pay to the complainants

damages totaling One Thousand Dollars (\$1,000.00) for the mental suffering from the considerable frustration and humiliation caused them, which resulted in the complainant, Joseph Samuels curtailing his civil rights activities and being delayed in his graduate work, costing him time and money.

2. That the respondent cease and desist from any acts of unlawful discrimination in connection with the rental of housing accommodations.

3. That the respondent notify the Commission within thirty (30) days of the action she has taken to comply with this Order.

Any person claiming to be aggrieved by an award of damages by the Commission may seek review thereof pursuant to Section 5 of Chapter 151B of the General Laws. Such proceeding must be instituted within ten (10) days of notice of such award.

Any person aggrieved by an order of the Commission may obtain judicial review thereof, pursuant to Section 6 of Chapter 151B of the General Laws. Such proceeding must be instituted within thirty (30) days after service of this order.

/s/ Glendora McIlwain Putnam
GLENDORA McILWAIN PUTNAM
Commissioner
/s/ Gordon A. Martin, Jr.
GORDON A. MARTIN, JR.
Commissioner

Dated 31 December 1970 Boston, County of Suffolk

AFFIRMATIVE ACTION DIVISION

George Coblyn, Director
Richard Crawford, Assistant Director

Efforts of the Affirmative Action Division of the MCAD continue to prove that the basic problems facing the minority-group citizens of the Commonwealth result directly from the lack of inequality in job opportunities. Even with the most optimistic expectations for the future of the economy, government statisticians currently project that the 1975 unemployment rate for non-Whites would be twice that for the labor force as a whole. As jobs become less available, the war against racial inequality becomes more of an uphill struggle.

This Commission finds that, despite the loud voice of Labor and Management, in the cause of civil rights at the Federal level, they have done very little with State and Municipal legislative authorities to encourage their affiliates to champion fair employment practices through collective bargaining and within their own organizations. Their lack of interest in the needs of minority-group persons, as this relates to apprenticeship/journeyman status and training and ultimate inclusion into the union ranks, has been the source of contention, and the main road-block in Area Plan negotiations.

The MCAD's Affirmative Action Division continues in its role as advisor and counselor to organizations of the community in helping to express and guarantee the necessary ingredients of their local Area Plans. Several cities and towns are implementing such programs of affirmative action; among these are Lexington, Arlington, Brookline, Marblehead, Newton and Sudbury. All are being promulgated under the Massachusetts General Laws, Federal Civil Rights Act of 1964 and Town Warrants and Articles.

During 1970, the MCAD (although not an employment agency) was responsible — through its team effort headed by the Affirmative Action Division — for placement of more than 600 minority-group persons in desirable jobs. The

MCAD is also fostering a new concept in positive approach to equal employment and training. The idea is to place applicants in a trainee program in preparation for assuming an actual role in the immediate future of the company. One enterprise is negotiating to use the facility of a now-defunct grocery store located in the Roxbury community (predominantly Black area) to be set up as a retailing training store which will be staffed entirely by minority-group persons who have completed comprehensive training in all areas of grocery merchandizing. Another store in an effort to utilize minority-group persons throughout its proposed Springfield store, is planning a similar program, and is considering the rental of a site within access to the minority community, where a prototype of its existing operation could be established and used to train these persons in all the facets of store operations.

During the ensuing months, the Affirmative Action Division will constantly urge State and Federal administrators to develop and finance programs which will guarantee employment for able workers who cannot be placed in, or promptly trained for, regular employment; to improve and expand counseling services for in-school youths; to provide vocational advisors skilled in the requirements of industry to every student, especially those in poverty areas; to accelerate efforts for setting up and maintaining a ceiling to provide assignment of not more than 100 students to each counselor; to see that school systems working closely with industry and labor unions structure training realistically to job requirements; to see that the Division of Employment Security raises its quality of service by developing shifts in manpower requirements, such as we are now witnessing along Route 128's Electronic Arc; to see that the Division of Employment Security joins forces with community groups to keep pace with the growing trend of business and government establishments locating in suburban areas (to the detriment of inner-city residents). It must be expected that the year 1971 will see our State and Municipal government more perceptive in their approach to affirmative action programs, especially in areas of recruiting and upgrading minority-group citizens.

The year 1970 realized the signing of Executive Order 74, the Governor's Code of Fair Practices. The MCAD is hopeful that this mandate will serve to promote full compliance with its directives by ALL employers operating within the State of Massachusetts. Our great concern in this area is total compliance in all matters of employment; i.e., recruitment, record keeping, testing procedures, placement, upgrading and promotions, etc., as well as the general elimination of bureaucratic impediments which have stymied progress in State government.

The MCAD, prompted by reported acts of discrimination by the Department of Public Safety against Black citizens and other minority-group citizens, initiated a complaint alleging unlawful and disparate treatment of minority persons. Selection and testing procedures used by the Department of Public Safety in past State police examinations confirms the allegations of the complaint, and an investigation by the MCAD is still in process.

If the government is to be for all the people, then it must be by all the people and, if decisions made are to reflect and fill the needs of all the people, it is essential that those making the decisions be truly representative of all segments of the populace. This is the ultimate goal of the Affirmative Action Division of the Massachusetts Commission Against Discrimination.

COMMUNITY RELATIONS DIVISION

James R. Davis, Director
Barbara Chandler, Assistant Director

The MCAD's Community Relations Division represents the Commission in the individual communities throughout the Commonwealth. In order to establish and maintain close contact and rapport with the community, the Community Relations Division was vested by the MCAD with responsibility to organize and coordinate advisory councils in various areas of the State. These advisory councils serve as liaison agents between the community and the MCAD. There are currently ten such councils now functioning throughout the Commonwealth, each having an approximate membership of 50 persons, and each having five task-force teams. Operative councils during 1970 were the following:

Berkshire area	New Bedford area
Boston Suburban area	North Shore area
Cape Cod area	South Shore area
Fitchburg area	Springfield area
Merrimac Valley area	Worcester area

Task-force teams were established to function in the areas of employment, housing, education, legislation, and community police relations.

The Boston Suburban council directed its attention to legislation. Efforts of MCAD representatives were enhanced by the cooperation and support of Council members who worked tirelessly to develop a construction plan (Boston Plan) in the Boston area. Such joint efforts enabled the MCAD to sponsor the seminar, "A Day With MCAD," at Boston University during the month of May.

The Worcester Advisory Council was the first council to hold an affirmative action seminar, sponsored for the specific purpose of identifying, discussing and attempting to structure plans to resolve employment problems encountered by the area's Black citizens. The seminar was attended by every major businessman in the Worcester area.

The New Bedford Advisory Council showed what a group can do to help a city and its people before tensions develop, during tensions and after tensions created by periods of unrest, such as the riot which occurred in New Bedford last summer. Before the riot had begun, this council had its Community Police Relations Task Force meeting with the police chief to develop plans for police-community communication. Members of the task force team worked untiringly in an all-out effort to bring about peace in the troubled city. The council is now working on a program to organize a New Bedford Plan. Employment of Black people in the district courts and construction is a major project of the Employment Task Force of the New Bedford Advisory Council.

The Cape Cod Advisory Council brought special attention to its efforts when it questioned the Alcoholic Beverage Control Commission (ABCC) relative to issuance of liquor licenses to groups which discriminate against minority-group persons.

In addition to council work, the MCAD utilized the efforts of the Community Relations Division in areas of student unrest and faculty-student communication at the various high schools and institutions of higher learning throughout the State (Amherst College, Lowell State, Tufts, Harvard, etc.; high schools in Dorchester, Cambridge, Roxbury, Springfield, etc.). We believe the efforts of the MCAD helped create a better understanding and working relationship between the faculty and student body at the various schools.

With a view toward creating a more visible rapport between the community and the local police department in areas throughout the Commonwealth, the MCAD co-sponsored with the United States Department of Justice a Community Police Relations seminar. More than one hundred representatives — from cities and towns across the State — participated. In attendance were delegates from the Massachusetts Law Reform, NAACP, Attorney General's Office, Civil Liberties Union, HUD, Newton Police Department, Springfield Police Department, Massachusetts Transit Authority, New Hampshire Police Department, Lowell Police Department, Boston Police Department, HEW, human rights agencies, etc.

With development of the Boston Plan, the MCAD has accelerated its efforts with programs designed to promote greater utilization of minority-group workers in the construction industry. The Commission's advisory councils, under the guidance of our Community Relations Division, are working with this project in New Bedford, Springfield and Worcester.

COMPLIANCE DIVISION

Robert F. Mahoney, Director
Roger McLeod, Assistant Director

The MCAD's Compliance Division worked with the Governor's office to help structure the Governor's Code of Fair Practices (Executive Order No. 74), which was signed by the Governor on 20 July 1970.

Executive Order No. 74 stresses an affirmative action policy in employment by all State agencies, and requires that every contract for public buildings, public works, goods and services which exceeds \$100,000 shall contain an article requiring the contractor and his sub-contractor to pledge to undertake in good faith the affirmative action required by the Equal Employment Opportunity Clause set forth in Article I of the Governor's Code of Fair Practices.

Included in Executive Order No. 74 are policies for the purpose of eliminating discriminatory barriers on the grounds of race, color, religious creed, national origin, age and sex in the areas of employment policies of State agencies, State services and facilities, State education, counseling and training programs, private educational institutions, health care, State licensing and regulatory agencies, housing accommodations, public schools, State financial assistance and State forms.

Executive Order No. 74 grants the enforcement policy needed by the MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION to effectively and fully execute its responsibility.

The MCAD, through its Compliance Division, developed a Construction Compliance and Affirmative Action Plan for the construction of the University of Massachusetts, Boston. This plan would have trained 400 men during building of the institution; however, it was supplanted by the so-called Boston Plan. Initial meetings were conducted in Springfield and New Bedford with representatives from the Department of Labor, the General Contractors Association, Building Trades Council and community residents for purpose of establishing

task forces to formulate an affirmative action program in the construction industry for the two areas. Future meetings are planned.

The Compliance Division also represented the MCAD in efforts to develop two major legislative proposals during 1970; i.e., Bill No. H2990, filed by the Attorney General, would have amended the General Laws to require affirmative action on all State and State-assisted contracts; Bill No. S-268 would have strengthened Chapter 151B by further defining unlawful practices on part of employers, labor organizations and apprenticeship programs. Also, Bill No. S-996, which was proposed to change the administrative procedures under which the Commission operates, was filed. All three Bills failed to pass during the session (in spite of an intensive effort on part of the MCAD and other support sources).

The MCAD, in an effort to bring about filing of a number of class-action complaints against building trade unions and contractors, devoted a great deal of time investigating the construction industry. It is expected that the first of a number of cases resulting from this extensive investigation will go to conference — and possibly to public hearing — early in 1971.

With a limited staff, the Commission has begun to develop programs with agencies in State government which deal with employment, contracts, rules and regulations of various State agencies. One example of this activity is action which the Alcoholic Beverage Control Commission is preparing against such organizations as the Elks, Eagles and Moose.

The Compliance Division of the MCAD, in joint cooperation with the Affirmative Action Division, is part of a task-force team conducting an extensive survey of all State agencies to determine to what extent minority-group citizens are employed by the Commonwealth.

During the year 1970, the Compliance Division conducted follow-up investigations on those cases previously studied which had been given "compliance" directives by the MCAD. Three complaints were referred to the Attorney General's Office to enforce compliance with the MCAD's Final Order.

EDUCATION DIVISION

Janet Bryant, Director
William Riley, Assistant Director

The MCAD has responsibility to enforce the Fair Educational Practices Act, Chapter 151C, of the General Laws of the Commonwealth, and to provide programs designed to ensure equal education opportunities for all citizens of the State of Massachusetts. The Education Division of the MCAD is vested by the Chairman with this function. This responsibility extends to all educational systems within the Commonwealth and to all levels within each such system.

Toward fulfillment of this responsibility, the staff has been involved in a three-fold program; i.e., enforcing the anti-discrimination laws as they apply to education, working with the Commission's Affirmative Action Division to structure affirmative action programs for educational institutions, and dealing with tension situations in education which stem from discriminatory practices. The program has involved school administrators, teachers, parents, and various agencies and individuals concerned with education. The program for 1970 included the following projects:

Investigations

On the college level, investigations have been held during the year on recruitment and admissions of minority-group students and employment practices (staff level) in schools such as Lowell Technological Institute, Lowell State College, Salem State College, Regis College, Westfield State College, Northampton Community College and Southeastern Massachusetts University.

In addition, work has been done with the Board of Higher Education on a possible agreement in these areas which would cover all State colleges under its jurisdiction. Future plans include expansion of this program to include more private colleges in the Commonwealth.

The first MCAD public hearing in the area of discrimination in education was held on a case involving alleged discrimi-

minatory practices in admissions to Boston's Roslindale High School under the open enrollment policy. This complaint resulted in twelve days of public hearings. As of the reporting date, the State Commission Against Discrimination's decision has not yet been made. (This case is still in the investigatory status.)

Other cases involving the Boston Public Schools include the hiring and promotional practices of the Boston School Committee. This is part of a planned State-wide study of teacher hiring and upgrading procedures with regard to members of various minority groups. Work is also in progress on the "Elite Schools" case. This case is currently being investigated by the MCAD's Field Operations Division (case involves alleged disparate admissions policies and practices at Boys' Latin School, Girls' Latin School and Boston Technical High School). The MCAD is also investigating cases of alleged discriminatory practices in educational facilities and programs for Spanish-speaking students in the Boston public schools. This program is planned to eventually encompass other communities in the Commonwealth where non-English-speaking students are in attendance.

Fair Educational Practices Act

The Fair Educational Practices Act, which provides for equal educational opportunities for students seeking admission to independent schools, colleges and public school systems throughout the Commonwealth, was administered. School catalogues and admission blanks were reviewed.

Intergroup Relations Training for Teachers

The MCAD has been part of a landmark project in group-cooperation. This group includes representation from the American Jewish Committee, a private agency; the Massachusetts Teachers' Association, a professional organization; and the MCAD, a State agency, and has been named the Massachusetts Committee on Education and Human Relations (now popularly known as MCEHR). The MCEHR has been concerned with the increasing demands being made on teachers and administrators in dealing with the content and

processes of racial and urban changes in the classroom. General goal of the MCEHR is to spearhead an inter-group relations movement across the Commonwealth which will involve both community and educators. The training programs all involve both school and community leadership participation.

The MCAD worked with a program of the MCEHR to include workshops for individual school systems. Also, a two-day conference was held during April to further acquaint educators with issues and techniques to be utilized in identifying problems common to most communities; i.e., racial tensions, student unrest, discrimination and poor communication. A follow-up meeting will be held during the Spring of 1971.

Education for Spanish and other non-English-speaking students

Because of the great need for bilingual education, the MCAD has been involved with organization of groups throughout the State to give active support to the proposed Daly-Bartley Bilingual Education Bill. This bill will make it compulsory for school districts to provide bilingual education if more than 20 students with limited English-speaking ability in one specific language reside in the district.

MCAD Education Task Forces

Education task forces have been set up in the advisory council areas. These task forces are working with problems on a local level in an effort to implement needed and appropriate changes.

Programs and involvement with other agencies

It is the custom of the MCAD to join in cooperative ventures with other civic organizations and agencies whose objectives and purpose are similar to our own. In further effort to continue this practice, the Commission has been involved with several groups in programming. In September, a conference on "Problems in Education, 1970" was sponsored jointly by the MCAD and the Anti-defamation League. Purpose of the conference was to identify and discuss such problems as student unrest, inner-city tensions, suburban education and

funding. Other organizations with which we work are the Harvard Center for Law and Education, the Massachusetts Law Reform Institute, the Community Relations Division of the Department of Justice, PUENTE, the Boston Education Alliance, the Massachusetts Teachers' Association, the American Jewish Committee, the Mayor's Office for Human Rights (Boston), etc.

The MCAD's Education Division is now formulating programs for next year to include a continuation of effort in both the investigative and affirmative action aspects of the Division, in order to ensure equal opportunities in education for all citizens of the Commonwealth.

FEDERAL GRANT PROGRAM

Equal Employment Opportunity Commission

The Massachusetts Commission Against Discrimination in 1970 received financial and technical assistance from the United States Equal Employment Opportunity Commission (EEOC). With funds supplied by the EEOC, the MCAD was able to obtain the services of three additional staff persons, including an attorney.

Primary objective of the Federal grant staff is to assist the MCAD in developing effective methods to obtain relief in cases involving allegations of unlawful racial discrimination in the area of employment. In order to attain this objective, it was necessary for the grant staff to establish an awareness of the MCAD's methods of operation. This has been done by utilizing the services of grant staff personnel in virtually all functions of the Commission.

For example, the grant staff initially focused on the existing policies, procedures, rules, regulations and legislation which govern or influence the Commission's administrative and adjudicatory functions. The grant staff attempted to effectuate some changes in these areas by 1) proposing new rules and regulations; and 2) drafting appropriate legislation for submission to the General Court.

The grant staff has attempted to support a reasonable framework within which the MCAD's Field Operations Division can perform its traditional functions (investigation, conciliation and general processing of all complaints which are filed with the Commission) in the expeditious and equitable manner for which it is noted. The proposed rules more clearly define the Commission's investigative powers and make mandatory written conciliation agreements in all cases where the investigating commissioner has found probable cause to credit the allegations.

The grant program also assisted the MCAD in the promulgation of regulations which, if adopted, would require employers and those in real estate to act affirmatively so as to

eliminate racial discrimination and its effects with those facilities under their control. Specifically, those persons covered by the proposed regulations would be required to advertise employment and housing vacancies so that minority-group persons, as well as non-minorities, would have notice of them. The regulations would also do much to eliminate the use of improper employee/tenant selection criteria that have operated to deprive minority-group persons of the equal opportunities which are theirs by law.

Approximately two years ago, the commissioners of the MCAD initiated efforts to have legislation enacted which would permit a single commissioner to conduct public hearings. (The present statute requires that two or three of the four commissioners conduct public hearings.) Upon receipt of funding for the EEOC Federal Grant program, the MCAD commissioners sought legal assistance from the EEOC grant staff in finalizing this Bill which had already been drafted for submission to the Legislature. Such a bill, if enacted, would help eliminate the existing backlog of cases awaiting public hearing.

Another bill will more clearly define the Commission's authority to issue written interrogatories to respondents and to compel them to answer. This is an investigative or discovery device which has been available to litigants in civil judicial proceedings. Interrogatories have been used successfully to ascertain facts relevant to the issues in controversy; thereby, narrowing the issues and avoiding unnecessary costs and efforts.

In addition to responding to complaints of unlawful discrimination filed by individual complainants, the Commission is authorized by law to commence administrative action against a person whenever the Commission has reason to believe that the person is engaged in unlawful discriminatory practices. The grant staff has been involved in both types of cases in behalf of the MCAD.

The grant staff, through pre-complaint investigations of prospective respondents' policies and practices relative to employment, has gathered evidence sufficient to establish the

requisite "reason to believe" and cause the Commission to initiate complaints on its own motion. Such complaints were initiated, for example, against a significant portion of the construction industry doing business in the Metropolitan Boston area. These complaints allege unlawful discrimination against prospective Black and Spanish-speaking employees by both trade unions and individual contractors.

The MCAD has utilized efforts of the EEOC grant staff in its dealings with employers throughout the State's public sector. After extended negotiations with representatives of the Massachusetts State Police (a division of the Department of Public Safety), in an attempt to secure voluntary compliance with the anti-discrimination laws, the Commission initiated formal proceedings against the State Police Department. The Commission's complaint alleges unlawful discrimination in the respondent's policies and practices relative to recruitment and hiring. The Commission's complaint also alleges that the Police Department's pre-employment examination process tends to produce and perpetuate the Department's all-White work-force.

The Federal program was called upon for support by the Field Operations Division in efforts to conduct an extensive investigation of a public housing authority where the preliminary investigation revealed that minority persons were being unlawfully channeled into certain public housing projects, while other of the Authority's projects remained all-White. In this joint effort, when conciliation efforts failed, the MCAD prepared the evidence and presented it at a public hearing.

The EEOC grant staff assisted the Commission in preparation for four days of public hearings conducted by the MCAD in conjunction with the Massachusetts State Advisory Committee to the United States Commission on Civil Rights. These hearings dealt with the apparent lack of employment and housing opportunities available to the minority-group citizens of Boston who wish to relocate to the suburbs. Testimony offered at these hearings established further presence of discrimination practiced in the various communities, businesses and institutions which developed the Route 128 area and

the lacking of any programs or methods by which minority-group persons can be effectively incorporated into, and enjoy the benefits of, these facilities. The MCAD used information revealed at these hearings to successfully solicit from the United States Department of Housing and Urban Development additional grant money.

RESEARCH DIVISION

Dorothy Parrish, Director
Della Gilson, Assistant Director

During 1970, the Research Division of the MCAD spent over a fourth of its time supplying information to individuals outside the Commission. The individuals requesting information included representatives of the Legislature, business firms operating within the Commonwealth, high school and college students, members of human rights organizations, personnel from Municipal, State and Federal agencies, and many other persons and groups from both private and public sector.

Research continued to assist staff members with pertinent resource data needed to carry out their departmental functions at the Commission.

Another fourth of Research staff time was spent gathering data that would be vital to the execution of the Commission's function as well as to other organizations interested in civil and human rights work. The MCAD library increased its ready-reference supply of materials. Most of the material, other than books about prejudice and discrimination, involved specific areas of concentration. The Division played a definite role in the urban-suburban hearings of the MCAD and the State Advisory Committee of the United States Civil Rights Commission held on June 1 through 4, 1970. Data on this conference was collected and disseminated to the Commission and to Committee members. Statistical and sociological data has been collected from all over the country on the subjects of education, employment, housing, sex, age, legislation, civil and human rights agencies.

Profiles on each town and city in the Commonwealth are being developed. Purpose of the profiles is to provide ready access to information which shows discriminatory practices in education, housing and employment patterns toward minority-group persons.

The MCAD, through efforts of its Research Division and Legal Consultant, kept a legislative scoreboard and worked

with documentation of background data to support legislation submitted by the Commission. Data was documented for legislation proposed by the Massachusetts Law Reform Institute in behalf of the Commission.

The Research Department represented the MCAD at the weekly meetings of the Task Force Subcommittee on Civil Service Reform. This group was concerned with employment of disadvantaged persons. Toward resolution of many problems discussed when the MCAD and the Task Force met with the Civil Service Commission, the Governor appointed a Task Force which made the Chairman of the Civil Service Commission and Chairman of the MCAD vice-chairmen of the Task Force for Disadvantaged Citizens of the Commonwealth. The Governor also assigned a special representative to work out of his office on those problems which this subcommittee identified. The MCAD continues to work with this group, and a report of findings will be available by mid-1971.

The Research Division had a college work-study student for eight weeks during the summer to aid in development of town profiles for Lowell. This town (like several others) was chosen because of the following problems: high critical unemployment rate, lack of affirmative action programs in several State higher-education institutions, existence of a case pending with the housing authority, and lack of available data on the minority population of the town.

The MCAD sought assistance of the Research Division with special interviews conducted among citizens of the Chinese and American Indian communities for purpose of determining whether or not these citizens were informed as to the function and responsibility of the Massachusetts Commission Against Discrimination and, if so, whether they might have need to consult with us relative to protection of their rights.

Supportive statistical data are made a part of this report.

LEGISLATIVE SCOREBOARD

Bills Filed By or On Behalf of the MCAD During the 1970 Legislative Session

<i>Number</i>	<i>Petitioner</i>	<i>Content</i>	<i>Committee</i>
H108	MCAD	An Act conforming State law with Federal anti-discrimination law. (Eliminate owner-occupied 2-family dwelling exemption.)	Urban Affairs
H109	MCAD	An Act allowing the Chrmn of the MCAD to appoint an individual commissioner to conduct public hearings in connection with alleged employment and housing discrimination.	Urban Affairs
H110	MCAD	An Act allowing the Chrmn of the MCAD to appoint an individual commissioner to conduct public hearings in connection with alleged discrimination in the area of education.	Education
H111	MCAD	An Act defining the investigating commissioner's function with respect to complaints of housing discrimination filed with the MCAD against non-resident respondents.	Urban Affairs
H112	MCAD	An Act defining the investigative powers of the MCAD and authorizing the Commission to issue interrogatories and to reproduce evidence in connection with complaints of employment and housing discrimination.	Urban Affairs
H113	MCAD	An Act defining the investigative powers of the MCAD and authorizing the Commission to issue interrogatories and to reproduce evidence in connection with complaints of education discrimination.	Education
H114	MCAD	An Act modifying the unlawful employment practices enumerated by the Fair Employment Practices Act.	Commerce & Labor
H115	MCAD	An Act making a principal liable for the discriminatory acts of his agent, servant or employee when done in violation of a Superior Court decree.	Judiciary

H116	MCAD	An Act further defining discrimination in admission to or treatment in a place of public accommodations.	Commerce & Labor
H117	MCAD	An Act abolishing the exception of all State protective laws from the laws concerning unlawful discrimination.	Commerce & Labor
H118	MCAD	An Act prohibiting sex and age discrimination in housing and commercial accommodations, bonding, and mortgage loans.	Urban Affairs
H119	MCAD	An Act to prohibit discrimination on the basis of sex in public accommodations.	Commerce & Labor
S-93	Harmon	An Act prohibiting discrimination by persons engaged in the business of granting mortgage loans, or by banks in the granting of personal loans, because of age.	Banks and Banking
S-95	Harmon	An Act providing that retail stores shall not discriminate because of age in existing credit or charge account privileges to customers.	Commerce & Labor
S-336	Ward	An Act prohibiting private employers from dismissing, penalizing or otherwise discriminating against any employee who refuses to work more than forty hours in any scheduled work week.	Commerce & Labor
H1500	Daly, Gannet, Liederman, Masnik & Creedon	An Act to prohibit sex discrimination in educational institutions.	Education
H1968	Quinn & Murphy	An Act to require the Commission Against Discrimination to oversee state contracts.	State Administration
H1969	Quinn & Murphy	An Act to add a fifth commissioner to the Massachusetts Commission Against Discrimination.	State Administration
H2312	Flaherty	An Act relative to making certain changes in the administration procedures of the Massachusetts Commission Against Discrimination.	State Administration

H2521	Liederman & Curtiss	An Act increasing the membership of the Massachusetts Commission Against Discrimination.	State Administration
H2553	Creedon, Flaherty, Liederman & Bolling	An Act prohibiting discrimination in the leasing of residential real property because a prospective lessee has a child or children.	Urban Affairs
H2561	Americans for Democratic Action, Mofenson, Businger, Wojtkowski, Menton	An Act to protect families with children and related persons from discrimination in rental housing.	Urban Affairs
H2573	Keverian & Menton	An Act making uniform the description of those protected by the anti-discrimination laws of the Commonwealth.	Commerce & Labor
H2777	Heraty	An Act to prohibit discrimination because of length of hair or wearing beard or mustache.	Commerce & Labor
H2779	Quinn	An Act making certain changes in the protective labor laws to bring them into conformity with federal standards.	Commerce & Labor

SEX AND AGE DIVISION

Louise Eckert, Director

Responsibility for enforcement of the Commonwealth's anti-discriminatory legislation relating to sex and age is vested with the Massachusetts Commission Against Discrimination. The MCAD has established an internal department to represent it in matters pertaining to such legislation and to keep the communities of the State informed of the provisions of the law relating to discriminatory practices involving sex and age.

On 1 August 1965, the Massachusetts Fair Practices Act (C151B) was amended to include discrimination in employment because of sex.

In 1966, an existing State statute prohibiting discrimination in employment because of age of persons between 45 and 65 was broadened to include persons between the ages of 40 and 65; thus, bringing that segment of the population whose ages are between 40 and 65 within the jurisdiction of the anti-discrimination laws. The MCAD is now engaged in efforts to improve the State's laws for the protection of women's rights to greater extent.

Under the present State statute, discrimination because of sex or age is unlawful only in the employment provisions of the law. Discrimination because of race, color, religious creed, national origin and ancestry are also outlawed. Other areas covered under the law; i.e., housing, public accommodations and education, do not include discrimination because of sex or age.

During 1970, a number of bills were filed by a variety of organizations aimed at broadening the coverage of the sex amendment to the Fair Practices Act. These bills were proposed in an effort to afford equal opportunity for men and women in all occupations and in so-called places of public accommodation. Unfortunately, these bills were not endorsed by members of the Legislative Committee.

During this year, the Commission proposed a comprehensive legislative package for the 1971 session of the General Court to include amendments to Chapter 151B and Chapter 151C of the General Laws. The proposed legislation, if enacted, will render sex discrimination unlawful in areas of housing, public accommodations, mortgage loans, insurance and bonding as well as education. It will also strengthen the existing employment provisions concerning sex discrimination. These bills, if enacted, will extend the jurisdiction of the Massachusetts Commission Against Discrimination to areas which have been a source of discrimination against females as well as to persons between the ages of 40 and 65.

Reports have been received by the MCAD that it is often extremely difficult for single women (and women who are heads of households with dependent children) to obtain either rental housing or mortgage loans to purchase housing. A recent survey indicated that one-third of all households in the Metropolitan Boston area are headed by females. This one fact, alone, emphasizes the significance and scope of the problem.

The MCAD has uncovered positive evidence that women are denied entrance into places of public accommodation without just reason. Such places include lending institutions, which will not extend credit to women, as well as places serving food and beverage. The term "public accommodations" is interpreted broadly to cover also such things as credit cards by retailers, often denied women in their own names. However, the bill explicitly limits its application to exclude rest rooms, bath houses, seashore facilities and YWCA/YMCA-type facilities that are segregated on the basis of sex.

Massachusetts labor laws severely restrict the employment opportunities available to women by limiting them in overtime, night work and the amount of weight they can lift. While these protective laws were originally passed for the protection of women, the past decade has proven them to be a hindrance to female advancement rather than a help in improving working opportunities. Existing legislation specifically exempts all applications of the State protective laws from

MCAD jurisdiction. Proposed legislation (Bill H-117) would delete this blanket exemption and enable the MCAD to deal effectively with employers who invoke the protective laws as a defense to their discriminatory practices and, thus, make it uniform with Federal law.

A bill (H-1500) was filed which would render sex discrimination unlawful in all private and public educational institutions which, as of 1 January 1970, had a policy of admitting both males and females. Thus, any school already admitting women would come within the terms of this bill; all schools which have no stated co-educational policy would not. The schools coming within the jurisdiction of this bill would be prohibited from discriminating on the basis of sex — not only in admissions policies, but — in counselling, course assignment and other school programs. The Commission's stand has been, and continues to be, that if women are to command competitive positions and salaries, they must be afforded the educational opportunities required to fill such positions.

The MCAD has been selected as one of three agencies within the United States to participate in a pilot project intended to identify and eliminate discrimination because of sex in hiring, recruitment and other employment practices on a systematic affirmative basis. This project, funded by the EEOC, will provide information to the EEOC concerning the most effective and efficient methods of enforcing the provisions of Title VII of the Civil Rights Act of 1964 and similar provisions of the Massachusetts Fair Practices Act, which statute prohibits discrimination in employment because of sex.

During the years that the sex and age amendments to the law have been in effect, several thousand complaints have been initiated by the MCAD against employers who have advertised for help in a manner which would tend to limit, either directly or indirectly, the age or sex of an applicant. These complaints served a two-fold purpose; i.e., 1) they gave the opportunity to educate employers with the provisions of the laws against discrimination and corrected any policies or practices in effect which were not in compliance with the law;

and 2) they permitted the opening up of job opportunities heretofore denied persons solely because of age or sex.

During 1970, the MCAD initiated more than 400 complaints based upon alleged illegal advertising. All employers who were found to be in violation of the law, agreed to refrain from placing future help-wanted ads which would contain phrasing prohibited by law. In spite of this, discriminatory advertising continues to appear in the newspapers. This indicates that a more concerted effort must be made in this area to enable all persons, regardless of sex and age, the opportunity to be considered for jobs heretofore denied them.

This year, 24 requests were received by the MCAD to limit the applicants for certain jobs to one sex, and one request was received to limit the age of applicants. The requests involved a total of 126 jobs, 122 of which were requested to be limited to males. The Commission granted five of the twenty-four requests received, denied five and fourteen were withdrawn by the employer — after investigation had been conducted.

Because of the denial of jobs to women and the problems encountered in administering the law to provide equal opportunity to all, the MCAD requested an opinion from the Attorney General of the Commonwealth regarding the continuing validity of Massachusetts Law regulating the employment of women. The request was also prompted by the fact that the EEOC, which administers the provisions of the Civil Rights Act of 1964 (Title VII), set forth a guideline stating that laws limiting the employment of females now cease to be relevant and such laws and regulations in existence are deemed to conflict with Title VII of the Civil Rights Act and will not be considered a basis for the application of a bona fide occupational qualification exemption.

During the year 1970, the MCAD provided speakers to various organizations — in order that these groups might be informed as to the function and purpose of the Commission. The Director of the Sex and Age Division of the MCAD spoke before such organizations as the YWCA, the Business and Professional Women, the Federally Employed, College Placement Officers, Women's Rights, etc. In addition, the

MCAD's Sex and Age Division provided information to representatives of industry and labor concerning the legal rights and responsibilities of those covered under the sex and age amendments to the Fair Practices Act.

ADMINISTRATIVE DIVISION

The following budgetary summary covers all financial activity of the Massachusetts Commission Against Discrimination (main office in Boston and branch offices in New Bedford, Springfield and Worcester) during the 1970 fiscal year; i.e., 1 July 1969 through 30 June 1970:

Analysis of Disbursements:

Salaries - Permanent	\$460,178.63
Salaries - Temporary	34,493.26
Services - Non-employees	13,704.01
Heat and light	3,022.41
Travel and automotive	11,667.36
Advertising and printing	1,857.20
Repairs	385.34
Special supplies and expenses	162.50
Office and administration	16,826.80
Equipment	2,326.88
Rentals	47,540.79
	<hr/>
	\$592,165.18
 Appropriations	 \$661,248.00
Deficiencies	248.27
	<hr/>
	\$661,496.27
 Disbursements	 \$592,165.18
Reverted	17,982.73
Encumbered	51,348.36
	<hr/>
	\$661,496.27

The MCAD was the recipient of the following Federal grants:

1) *Affirmative Action Program*

During the previous year, this Commission entered into a contract for \$17,826 on a Federal grant with the Equal Em-

ployment Opportunity Commission (EEOC) for purpose of effecting affirmative action programs as follows:

- a) to complete work started in a prior contract (Federal grant) to promote affirmative action programs which included industries other than the transportation industry;
- b) to initiate 25 or more complaints on a pattern and practice of discrimination in recruitment, hiring and promotion against both companies and unions; and
- c) to integrate the concepts used in these complaints into regular Commission procedures.

This contract originally covered the period from 27 June 1969 to 26 June 1970; however, it was extended to 31 December 1970 for an additional sum of \$10,500.

2) Legal Consultation

On 24 March 1970, this Commission received approval to accept a grant for \$17,000 from the EEOC for purpose of developing national standards for both Federal and State anti-discrimination agencies. The grant became effective 29 June 1970; it will expire 30 June 1971.

3) Sex and Age

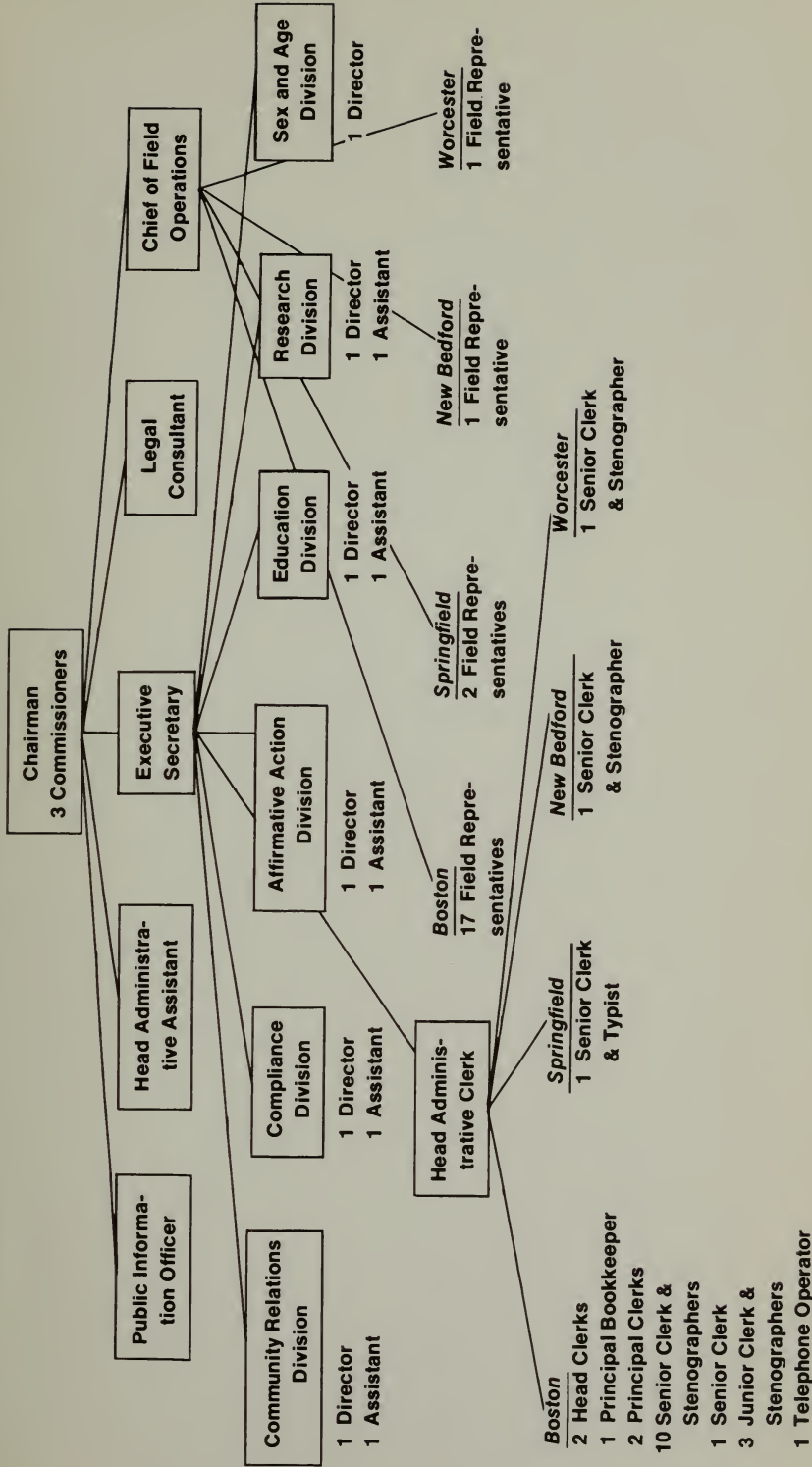
On 26 June 1970, this Commission received an approval of a Federal grant in amount of \$38,200 from the EEOC to conduct a project intended to identify and eliminate discrimination because of sex in hiring, recruitment and other employment practices on a systemic affirmative basis, and to provide information to the EEOC concerning the most effective methods to enforce the provisions of Title VII of the Civil Rights Act of 1964. This grant will expire 30 June 1971.

4) Housing and Urban Development

The request made by this Commission to the Commissioner of Administration for acceptance of a grant for housing and urban development was approved on 2 July 1970 in

amount of \$7,500. Objectives of this grant are to facilitate the enforcement of the State Civil Rights statute relating to discriminatory housing practices, and to provide information to be utilized in the development of fair housing enforcement and educational and conciliatory activities.

MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION



*“The Declaration of Independence
was only half established by
American Independence. The
greater duty remained behind.
In assuring the Equal Rights
of all, we complete this work.”*

Charles Sumner
U.S. Senator from Massachusetts
1854-1874



THE COMMONWEALTH OF MASSACHUSETTS